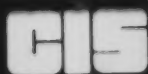


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OVERSIGHT OF THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

HEARING BEFORE THE SUBCOMMITTEE ON JUVENILE JUSTICE OF THE COMMITTEE ON THE JUDICIARY UNITED STATES SENATE NINETY-NINTH CONGRESS FIRST SESSION

TO REVIEW THE ACTIVITIES OF THE OFFICE OF
JUVENILE JUSTICE AND DELINQUENCY PREVENTION

MAY 7, 1985

Serial No. J-99-23

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OVERSIGHT OF THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

TUESDAY, MAY 7, 1985

U.S. SENATE,
SUBCOMMITTEE ON JUVENILE JUSTICE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met at 10:11 a.m., in room 366, Dirksen Senate Office Building, Hon. Arlen Specter (chairman of the subcommittee) presiding.

Present: Senators Metzenbaum and McConnell.

Staff present: Neal S. Manne, chief counsel; Michael Russell, counsel; Scott Wallace, counsel; Steve Ross, counsel to Senator Metzenbaum; Vic Maddox, counsel to Senator McConnell; Rick Holcomb, counsel to Senator Denton; Tracy McGee, chief clerk.

OPENING STATEMENT OF HON. ARLEN SPECTER, A U.S. SENATOR FROM THE STATE OF PENNSYLVANIA, CHAIRMAN, SUBCOMMITTEE ON JUVENILE JUSTICE

Senator SPECTER. The subcommittee will convene.

We regret starting 11 minutes late but I had obligations at Veterans Affairs and Health and Human Services Committees, so I am sorry to keep the Senators waiting, Senator Metzenbaum and Senator McConnell, and all the witnesses and those assembled, but we will begin at this time.

The purpose of this hearing of the Juvenile Justice Subcommittee is to review the activities of the Office of Juvenile Justice and Delinquency Prevention in our oversight function, to see what has been done by that office. We have the Director of OJJDP, the Honorable Alfred J. Regnery here today to review those activities for us, and we have also asked Dr. Judith Reisman from the American University School of Education to join us today to advise us what the activities are of her program which has been funded by the Office of Juvenile Justice and Delinquency Prevention.

We also have statements by Senators Denton and Simon and, without objection, they will be included in the record at this point. [Statements follow:]

PREPARED STATEMENT OF HON. JEREMIAH DENTON, A U.S. SENATOR FROM THE STATE OF ALABAMA

Mr. Chairman: Last year I was pleased to join with you and other Senators to ensure the continued existence of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through the reauthorization of the Juvenile Justice and Delin-

quency Prevention Act. The reauthorization showed a continued commitment to juvenile justice programs by the Federal government.

With the strong Federal commitment, significant progress has been achieved in meeting the principal mandates of the Juvenile Justice and Delinquency Prevention Act of 1974: (1) deinstitutionalization of status offenders and nonoffenders; and (2) removal of juveniles from adult jails and lockups.

Despite the progress, however, thousands of children are inappropriately incarcerated each year. According to testimony, based on 1983 figures, received at last year's oversight hearing, an estimated 36,500 juveniles are held in adult jails and lockups each year. Of those, approximately 3% are accused of status offenses. Statistics supplied by the OJJDP at another hearing before the Subcommittee indicate that the number of young people held "in regular contact with adults" has been reduced to 27,552. The total does not include data from the non-participating states.

Other estimates of the number of status offenders held each year in secure facilities range from 35,000 to 50,000. Yet statistics supplied by OJJDP indicate that, in the 53 participating jurisdictions, 12,700 status offenders and nonoffenders are annually held in secure detention. I look forward to having the statistics updated during today's hearing.

With the reauthorization of the OJJDP and a reaffirmed commitment by the Federal government to juvenile justice, progress in meeting the mandates of the Act will become more and more significant. Nonetheless, we cannot rest on past laurels, and must work to continue the Federal commitment to juvenile justice. We must ensure the continued funding of the OJJDP as provided by the Senate-Administration budget compromise. We must also work to ensure the maintenance of the current independent structure of the OJJDP.

Mr. Chairman, I look forward to working with you and the other members of the Subcommittee to keep the safety and protection of our children a top priority on the Senate's legislative agenda.

I have some specific questions about the operation of the OJJDP. I will ask them or submit them for the record.

Thank you, Mr. Chairman.

PREPARED STATEMENT OF HON. PAUL SIMON, A U.S. SENATOR FROM THE STATE OF ILLINOIS

Today's oversight hearing on the Office of Juvenile Justice and Delinquency Prevention within the Department of Justice is a particularly important one.

I have a number of concerns on this matter. The long list of areas within the jurisdiction of the OJJDP over which controversy is brewing is very troubling. To name just a few of these concerns is insufficient unless we determine a plan for implementing the changes that are needed.

I am deeply concerned, however, by the President's proposal to eliminate the entire OJJDP in the FY 86. The Administration has proposed this cut despite the assurances of Attorney General Meese during his confirmation hearings that the program would remain active. Recently though, Congress has softened this position with an assurance that the OJJDP would be funded at the FY 85 level of \$70 million. I am not convinced that our efforts to save the OJJDP will be successful when I hear the Administration's suggestions that \$13 million of the funds allocated in the FY 83 and FY 84 budgets, almost 20% of the total annual appropriation for the program, are being redirected to the U.S. Marshall service. This directly contradicts the language of the law which specifically requires that those monies be spent only for the needs of the OJJDP.

We are ultimately faced with two separate questions that lie at the center of this matter. First, is there mismanagement and waste in the OJJDP? Yes. There is clearly a significant problem in this area. A former staff member of the National Safety Center, a clearinghouse and research institution that focuses on creating safety in our schools, has recently contacted my office to discuss the intolerable administrative conditions at the Center.

But there is a second fundamental question. Is the OJJDP a needed and valuable part of our government? The answer is clear once again. Yes, of course. It is vitally necessary. The problem of waste and mismanagement is terrible and we must move quickly to remove its causes. However, the problem of juvenile delinquency cries for our attention as well.

We have the opportunity today to provide funds for a badly needed program. We have the opportunity to turn troubled kids around early in life and make them happy, productive men and women. We have the opportunity to demonstrate that

children are indeed the first priority of a great nation like ours. And so I begin this hearing hopeful for a better future for both this program and our children and excited that we both have the opportunity for a second chance.

Senator SPECTER. At this time, I would yield to the distinguished Senator from Ohio, Senator Metzenbaum, for an opening statement.

OPENING STATEMENT OF HON. HOWARD M. METZENBAUM, A U.S. SENATOR FROM THE STATE OF OHIO

Senator METZENBAUM. Thank you, Mr. Chairman, for convening this oversight hearing concerning the Office of Juvenile Justice and Delinquency Prevention.

Just last week I sat with you and we heard some very painful stories and statistics concerning today's youth, indicating that every 90 minutes one child takes his or her life. We hear some other statistics that every minute of every day of every week of every month during the year, one child in this country attempts suicide, and the administration's response to that is to provide \$1 million in funding to the study of that unbelievably serious national problem.

Now, it is only fair to say that some other departments are giving some attention to the subject, but only \$1 million is targeted to the issue of children suicide.

And today we turn our attention to the Office of Juvenile Justice to see what it is spending its money on. Well, it is awarding a \$734,000 grant to allow 7 full-time and 12 part-time employees to read over 600 issues of Playboy, Penthouse, and Hustler magazines. As a matter of fact, even the Washington Post had an article by Jonathan Yardley, an article entitled "Porn in the U.S.A., Your Taxes at Work."

Basically, with all the problems facing today's children, what will this large expenditure accomplish? According to the project's description, it may lay the foundation for future studies—just it may lay the foundation for future studies—on the possible influence or lack of influence of erotica, pornography with particular emphasis on issues of child exploitation. This was a study that came up at last year's hearing. It is not a new issue for this committee.

The American Psychological Association at that time reported that several experts questioned the usefulness and the methods of the study, and last year we were promised documents that experts had reviewed and approved the projects, but those documents were never received by the committee. Frankly, I believe this is just one example of the questionable activities of the Office of Juvenile Justice.

I support the existence of the Office of Juvenile Justice and Delinquency Prevention, but I must note that at the time that its head was appointed, many of us had some questions with respect to Mr. Regnery's background. He promised to keep the awarding of contracts out of politics. Yet he boasted to a Jerry Falwell group that he had terminated or not renewed \$60 million in grants in response to a question about funding cutoffs for liberal welfare-state type people. He opposed reauthorization of one of the key features

of the Juvenile Justice Act which keeps truants and runaways out of jail facilities.

Yet this spring the head of the office continues to fight the will of Congress by giving speeches opposing this statutory goal.

Mr. Chairman, the issue of juvenile justice has not been a political one and it should not be, but I am concerned it has been politicized during this administration's tenure of office, and particularly by its present head.

You, Mr. Chairman, Senator Denton and I all worked closely together in passing the reauthorization. There was bipartisan support for the Office of Juvenile Justice and Delinquency Prevention. I have difficulty in why we have to have a constant running battle with a Director who does not seem to want to move in the direction that most people who are knowledgeable in this area would agree is an appropriate one but, instead, finds himself supporting and pushing for projects that at least are questionable and, at the most, are probably off the wall, and then making speeches to right wing groups indicating how he has terminated programs that others have felt were so worthwhile. The fact is that with respect to the award of \$784,000, or whatever that figure is, \$734,000, this committee, this Congress, last Congress had indicated there was to be competition in the awarding of contracts. But, to the best of my understanding, the new award of money for Dr. Reisman's magazine study was not done competitively.

Now, I suppose that the Director might claim that he is not bound by that 1984 act since this was an award made prior to that time, but I think that most officials of government around here recognize that when Congress has spoken and indicated they expect competitive bidding that those who head up the offices do not try to find ways to circumvent the will of Congress, even though technically they may be able to do it.

Last year, the Director promised to provide the committee with peer reviews of Dr. Reisman's original proposal from a Dr. Burgess and others. They were not received for the record, and so we do not know why that request was not complied with. And I will have some additional questions for the Director, but I must say that when Regnery was confirmed, a number of questions arose at that time. We had some assurances from him as to how the office would be operated, and he bears a heavy responsibility, the total responsibility for the manner in which it is being operated. And I do not believe that I am alone in my indicating a keen sense of disappointment in the way the funds of the Office of Juvenile Justice and Delinquency Prevention are being spent. And I look forward to his testimony and some questions that I will have for him after he makes his statement.

Senator SPECTER. I turn now to the distinguished Senator from Kentucky, Senator McConnell, for an opening statement.

Senator McCONNELL. Thank you, Mr. Chairman.

I, too, appreciate the opportunity to be heard today and commend you for holding these hearings. In the interest of time, I would like to request permission to have my opening statement inserted in the record.

Senator SPECTER. Without objection, so ordered.

[Statement follows:]

PREPARED STATEMENT OF HON. MICH MCCONNELL, A U.S. SENATOR FROM THE STATE
OF KENTUCKY

Mr. Chairman, I commend you for scheduling this oversight hearing on the Office of Juvenile Justice and Delinquency Prevention ("OJJDP"), and I am pleased to be able to take part in this oversight function for the first time since joining you in the Senate and on this Subcommittee. Like you, Mr. Chairman, I view the OJJDP as an essential link in the federal government's ongoing efforts to bring meaningful change to the area of juvenile justice, to deal realistically and effectively with the problem of juvenile delinquency and to address many very troublesome problems that went without serious attention on any level before OJJDP was established.

As you know, I strongly supported the advances we have been making in the field, not just as a United States Senator but also while in local government in Jefferson County, Kentucky, and, before that while at the Department of Justice myself. I therefore have encouraged the Administration to continue to fund the OJJDP at least its current levels, and I am gratified that we seem to have overcome that problem, at least for the time being, and can look forward to continued funding of the office.

At this point it looks as if the more problematic issue is the continued independence of the OJJDP within the Department of Justice, and the plans the Administration has for the future operation of the office. As I have said in the past, I am concerned about the wisdom of the effort to eliminate OJJDP as a separate office, and I will therefore be looking forward to the testimony to be given by Mr. Regnery with great interest on this topic.

Thank you, Mr. Chairman.

Senator SPECTER. Mr. Regnery, your full statement will be made a part of the record and to the extent that you are able to summarize it, we would appreciate it, leaving the maximum amount of time for questions and answers. We will proceed with a 5-minute rule. All your opening statement, and then five minutes on the rounds of questioning by the Senators.

Thank you for joining us and you may proceed.

STATEMENT BY HON. ALFRED S. REGNERY, ADMINISTRATOR,
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Mr. REGNERY. Thank you, Senator. I will try to quickly summarize my statement and also give you a couple pieces of information that are not in the statement but which I think are pertinent.

To begin with, as the statement sets out, I think we have made good progress in implementing the newly passed act which Congress passed last October. First of all, in the missing children area, I should inform you that the board which Congress called for has been appointed by the Attorney General. It has met once. It is meeting again a week from this coming weekend in Louisville. The board set forth priorities on how the money should be spent at that meeting which have been printed in the Federal Register. They are now available for comment.

The things that we will be doing during the coming year include an incident survey of the numbers of missing children that are out there. We will be giving assistance to law enforcement to help them deal with the issue of missing children. We will be doing some research on the relationships of missing and abducted children to sexual exploitation and also the psychological consequences of the exploitation and how best we can assist these children when they are recovered, and also we are looking into the question of the child victim as a witness in judicial proceedings.

In addition to that, we will be giving some technical assistance to private voluntary organizations of which, of course, there are a

great many around the country, helping them particularly from the standpoint of operations and management in doing the things that they set out to do.

The Center, as you know, of course, is fully staffed, is operating. I think the best example of the way that they are functioning right now is that as a result of the movie "Adam" that was shown again last week by NBC, the Center received about 7,500 calls. There were 1,755 missing children that were sighted by people that were reported to the Center in those calls. There were 5,200 calls to the Center asking for assistance of various sorts in finding missing children and, in fact, there were six children that were recovered as a result of that effort. As you all know, the President announced a public-private partnership the other day, bringing the private sector into the missing children area and helping coordinate those activities. And, of course, the private sector is heavily involved already, and we are trying to help them to do a better job with that.

In the formula grant area, in February, we proposed new regulations as a result of the new statute. They were published in the Federal Register. We have received about 30 comments, I believe. We are in the process of assimilating those comments and we will have the final regs ready to be published probably by the end of next week.

I will not go through exactly what those regs do in the interest of time. We have signed about half of all the formula grants for 1985. The rest of them are on target and we process them as we get the applications from the States.

In addition to that, we have a \$500,000 technical assistance contract which we will be letting shortly. We have received proposals under the request for proposal of that project, and those are now under review and I believe we will be awarding the new contract in July, which is the time that the old one runs out.

In the Special Emphasis Division, we are working on a probation initiative which we will be publishing in the Federal Register shortly, which particularly will urge the involvement of the private sector in the probation services. We have done a rather careful analysis of probation, bringing in 30 or 40 people from around the country who have been heavily involved in it to try to determine what we could do which would best help the system to improve itself, and basically what we heard was that more private sector involvement is needed and we are trying to do that through a series of training and technical assistance and other projects with the jurisdictions that are interested in that.

In addition to that, we are setting up a special training and technical assistance effort aimed at the system across the board that deals with serious juvenile offenders that will be a rather comprehensive system of working with police officers, probation officers, prosecutors, corrections officers and judges in dealing particularly with the high rate chronic offender. We are using some of the expertise that we have developed over the last couple of years on how the system can best deal with those kids.

We have a number of other projects, as you may know. We have been heavily involved in a partnership that we have put together on drug and alcohol abuse with the private and the public sectors. That is a project which is so far going very well and which we

think is going to be able to draw together a great deal of effort that is going on around the country in a more directed way in dealing with the problem of drug and alcohol abuse among juveniles.

In the research area we are about to announce a request for proposal on research on the causes and correlates of delinquency, which will be competitive, and it is fairly broadly drafted so we will get a number of proposals in so that we will be able to pick from them. We are working closely with the National Institute of Mental Health and others on that project.

We have a RFP that will be published very shortly on legal issues in the juvenile justice system. We get a great many requests from the system on particular legal issues, and this will enable us better to answer those questions.

In the training area, the court appointed special advocates program is going along very well. That is the one where we are recruiting volunteers to act in the interest of abused and neglected children in the juvenile court system, and we will be making a second year grant on that sometime in the next 3 or 4 months. We have funded the law-related education program which comes out of that training. We are working with the American Bar Association on a project that they are doing on reviewing the State laws as they affect drug and alcohol abuse among children, to make recommendations to the legislatures on what sort of things need to be changed.

In the area of competition, as Senator Metzenbaum mentioned, the Congress required that we compete on virtually all of our grants. We have developed regulations which have been published in the Federal Register. We are in the process of receiving comments on those now. We have forwarded our peer review process to the National Science Foundation, the National Institute of Mental Health as required by the statute, and we are awaiting their comments on those. We are in the process of drafting a peer review manual. Virtually all of our projects that are required to do so have been or are being competed. It is a rather lengthy process, as you know, to get that done. We have a number of proposals that have been published.

Incidentally, on the American University grant, there was no award of money. This was simply a renegotiation of an existing contract and, therefore, it was not subject to the requirements of competition since it was not actually an award.

Basically I have probably used up my 5 minutes. In fact, I see your red light is on so let me stop there and answer your questions.

[The prepared statement of Mr. Regnery follows:]

PREPARED STATEMENT OF ALFRED S. REGNERY

Thank you very much, Mr. Chairman, for inviting me to testify this morning on the activities of the Office of Juvenile Justice and Delinquency Prevention. I am pleased to report to you on what I consider to be the significant progress OJJDP is making in implementing the 1984 Amendments to the Juvenile Justice and Delinquency Prevention Act of 1974.

Missing Children

First, with regard to the new Missing Children's Program, the Advisory Board on Missing Children, created by the Missing Children's Assistance Act of 1984, has been appointed and sworn in. I met with the Board at its first meeting in March to discuss the requirements of the new legislation. Based on the Board's advice, my office has drafted priorities for making grants under the legislation. We hope to publish these priorities in the Federal Register for comment, as the legislation directs, in the near future.

As you know, the National Center for Missing and Exploited Children was established and opened last summer. The toll-free telephone hotline began operating nationwide last October and, since that time, has received thousands of calls from concerned parents and from citizens reporting sightings of missing children. Recently, in cooperation with OJJDP, the Center published and distributed "A Guide for Effective State Laws to Protect Children." The guide is intended for use by state legislators, governors, state officials and citizens concerned about protecting children. Another recent publication, "Parental Kidnapping," is being distributed to help parents prevent parental abductions and guide them through the civil and criminal justice systems. In addition, the book gives valuable advice and assistance to justice system practitioners to help them investigate and prosecute cases and recover the children.

Formula Grant Program

In February, to implement changes in the formula grant program as directed by the 1984 Amendments, OJJDP published in the Federal Register for comment a proposed new regulation governing the award of formula grant funds.

The regulation reflects the statutory emphasis on programs for serious juvenile offenders, programs that facilitate the coordination of services between the juvenile and criminal justice systems, education and special education programs, programs that involve parents and other family members in preventing and treating delinquency, drug and alcohol abuse programs, law-related education, and approaches designed to strengthen and maintain the family units of delinquent and other troubled youth.

The regulation also implements the significant statutory changes related to the jail removal requirement, including a change in the statutory exception and an extension of the date for states to achieve full compliance from December 8, 1987, to December 8, 1988. The revised regulation is designed to assist states, particularly those with large rural areas, in complying with the jail removal requirement, while, at the same time, providing for both the protection of the public and the safety of those juveniles who require temporary placement in secure confinement.

The 1984 Amendments require OJJDP to provide for the auditing of state systems for monitoring compliance with the deinstitutionalization, separation, and removal mandates of the OJJDP Act. To implement this directive, the monitoring plan requirements have been clarified to ensure that states establish a comprehensive monitoring plan and to enable OJJDP to review the plan for adequacy. The proposed regulation does not expand the requirements for monitoring, rather it clarifies what constitutes an adequate system in order to assist the states in their monitoring efforts. OJJDP will undertake a periodic audit of

each state's monitoring system and the reliability and validity of the data submitted in the state's monitoring report. To initiate this process, OJJDP currently is reviewing the plans states develop to monitor for compliance.

Comments on the proposed regulation for the formula grant program have been received and my Office is reviewing them before publishing the final regulation.

Program Plan

The Fiscal Year 1985 Program Plan, which outlines what programs OJJDP will support during the year, also was announced in February. While the majority of programs planned for funding this fiscal year are continuations of programs funded in FY 1983 and FY 1984, there are several important new programs planned which I would like to briefly describe.

The Special Emphasis Division is developing a probation program to determine the effectiveness of privatizing a variety of probation services or other functions that traditionally have been delivered by the public sector. We hope to publish a request for contract action (RCA) in the near future to provide comprehensive training, technical assistance, and other assistance to jurisdictions interested in the privatization of all or some of their probation functions.

OJJDP also will fund a number of private sector corrections projects in order to evaluate their relative efficiency and cost-effectiveness in dealing with serious juvenile offenders. All participating projects will be analyzed by an independent evaluator. We anticipate that three grants will be made for this program within the next month or so.

The Research and Development Division will sponsor new research programs on the causes and correlates of delinquency and on school crime and discipline. Another project will sponsor research on legal issues involving juvenile justice. The major purpose of this project is to investigate the criminal, legal and related social science issues involving juvenile justice.

The Training Division will sponsor training for volunteers involved in the Court-Appointed Special Advocates programs. CASA provides trained, supervised citizen volunteers to serve as advocates for children whose placement is being decided by a court, usually as the result of abuse and neglect. These volunteers gather information to aid the court in finding permanent placement for the child. The Training Division will provide the CASA volunteers training in organizing and implementing CASA programs and on developments in the law and other fields to aid them in representing abused and neglected children.

Competition/Peer Review

As you know, the 1984 Amendments require that all new research and special emphasis grants be awarded competitively and undergo a process of peer review, except in certain specified circumstances. As required by the legislation, my office has drafted a proposed competition and peer review regulation which was recently published for comment in the Federal Register. We also are developing a Peer Review Manual, which, in addition to procedural matters related to the peer review process, will address such issues as standards of conduct, conflict of interest, compensation of peer reviewers, and so forth.

Through the activities I have outlined here this morning, Mr. Chairman, I think you will agree that the Office of Juvenile Justice and Delinquency Prevention is making a noteworthy effort towards complying with the new requirements of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984.

Thank you, Mr. Chairman, I will be pleased to respond to any questions you or members of the Subcommittee may have.

Senator SPECTER. Thank you, Mr. Regnery.

During the course of the confirmation proceedings for Attorney General Meese, I asked him the question about the maintenance of the Office of Juvenile Justice and Delinquency Prevention. And I will make all of this a part of the record, but abbreviate because we are under time constraints this morning.

He said that he would—I quote, “I would agree to see that funding from the administration.”

My question is, will the Department of Justice maintain that commitment to seek \$70 million in funding and have the Office of Juvenile Justice and Delinquency Prevention a separate unit?

Mr. REGNERY. If that is what the Attorney General said, I assume that is what he meant.

Senator SPECTER. You have no reason to think there will be any contrary position from the Department of Justice or from the administration on OJJDP?

Mr. REGNERY. Not from what the Attorney General said at the hearing, no.

Senator SPECTER. That is fine.

I would like to put into the record now, without objection, a series of letters and statements in support of the separate OJJDP office from the Children's Defense Fund, the National Urban League, the Child Welfare League of America, the Boy Scouts of America, The National PTA, the American Bar Association, the American Legion, the National Firehawk Foundation, Elmer Litchfield, Sheriff, East Baton Rouge Parish, LA, National Coalition of State Juvenile Justice Advisory Groups, the National Network of Runaway and Youth Services, and a very long list of a compendia which support the separate office of OJJDP.

[Letters and statements follow:]

Children's Defense Fund

122 C Street, N.W.
Washington, D.C. 20001



Telephone (202) 628-8787

May 6, 1985

Senator Arlen Specter
Chairman, Subcommittee on
Juvenile Justice
Committee on the Judiciary
SH 815 Hart Senate Office Building
Washington, DC 20510

Dear Senator Specter:

The Children's Defense Fund (CDF) is pleased to hear that your Juvenile Justice Subcommittee will hold an oversight hearing on May 7, 1985, on the Office of Juvenile Justice and Delinquency Prevention.

CDF has supported the continuation of the Juvenile Justice and Delinquency Prevention Act since its enactment over a decade ago. We believe that the Act and the Runaway and Homeless Youth Act have encouraged states to make substantial progress in serving troubled youth. Sustained federal funding and leadership is particularly essential now if states are going to be able to meet the increasingly complex and serious needs of the growing numbers of troubled youth in this country.

There is a sad irony to the fact that the Reagan Administration has used the progress achieved by the Juvenile Justice Program as the basis for its recommendations over the past five years that it be eliminated. Instead the program's successes should be extended and their techniques transferred to other programs.

The Children's Defense Fund has included \$100 million for the Juvenile Justice Program in its omnibus Children's Survival Bill which we expect to be introduced by Senator Dodd by the end of the month. An increase for the Juvenile Justice Program is one of many proposals in the Survival Bill designed to strengthen opportunities for children, adolescents and families in the 99th Congress. Many of our proposals this year are specifically focused on the alarming problem of children having children and address the need to help youth become self-sufficient adults.

We recognize the important leadership you have provided in maintaining the Juvenile Justice Program over these past four years and are anxious to assist you again this year.

Thank you for your continued support on behalf of these very vulnerable youth.

Sincerely,

MaryLee Allen
MaryLee Allen
Director, Child
Welfare and Mental
Health

MA/kw



A program for Cub Scouts, Boy Scouts, and Explorers

National Office
BOY SCOUTS OF AMERICA

1325 Walnut Hill Lane, Irving, Texas 75062-1296
Telephone: 214 659-2000

May 2, 1985

Senator Arlen Specter
Sub-Committee on Juvenile Justice
and Crime Prevention
The Senator Hart Office Building
2nd and Constitution Ave., NE
Washington, DC 20510

Dear Senator Specter:

The purpose of this letter is to encourage the continuation of the Office of Juvenile Justice and Delinquency Prevention.

Over the past several years, the Boy Scouts of America has worked closely with this office to enhance the lives of countless youth throughout America. The function which this office serves is a most vital one. It is especially so in these most perilous times for today's youth.

Sincerely,

Brian D. Archimbaud
Brian D. Archimbaud
Associate Director of Exploring

tl



The National PTA

700 North Rush Street
Chicago, Illinois 60611-2571
(312) 787-0977

cc: Neal

Office of Governmental Relations
1201 16th Street N.W.
Washington, D.C. 20036
(202) 822-7878

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March 6, 1985

The Honorable Arlen Specter
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Specter:

The National Congress of Parents and Teachers (National PTA) appreciates your consistent support of a strong federal role in juvenile justice.

Once again, the juvenile justice program is threatened. As you know, the Administration's proposed FY 1986 budget calls for zero funding for the office of Juvenile Justice and Delinquency Prevention. In addition a \$13 million rescission is proposed for the current year.

The National PTA, as it has over the years, must again rely on your leadership and advocacy of child protection programs to maintain our nation's commitment to juvenile justice. We urge you to oppose the rescission and to support adequate funding of \$100 million in FY 1986 for OJJDP.

Thank you for your continuing commitment to the safety and well-being of our nation's youth.

Sincerely,

Manya S. Ungar

Manya S. Ungar
Vice President for
Legislative Activity

MSU:yb



The National PTA

700 North Rush Street
Chicago Illinois 60611 2571
(312) 787-0977

Office of Governmental Relations
1201 16th Street N.W.
Washington, D.C. 20036
(202) 822-7878

May 2, 1985

Honorable Arlen Specter
Chairman
Senate Subcommittee on Juvenile Justice
Committee on the Judiciary
327 Hart Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

On behalf of the National Congress of Parents and Teachers (National PTA) I am writing to express our support for the Juvenile Justice and Delinquency Prevention Act. I request that the comments contained herein be placed in the Record of the Subcommittee's hearing of May 7, 1985.

It was a little over a year ago that National PTA had the opportunity to testify before Congress on reauthorization of the Juvenile Justice and Delinquency Prevention Act. We stressed then, and we continue to hold the view, that the future of our country depends on what we do today to provide an environment for our young people in which they can develop strong bonds with their families, their schools and their communities. The mandates of the Juvenile Justice and Delinquency Prevention Act are vital to that process. That is why the National PTA believes that the Congress must continue and, where necessary, strengthen the federal role in juvenile justice and delinquency prevention.

For more than 10 years, under the Act, the federal government has provided the leadership and resources to assist the states and local communities in meeting national objectives, including:

- * Removing juveniles from adult jails and lock-ups
- * Preventing status offenders and non-offenders from being placed in secure detention or correctional facilities
- * Protecting children from arbitrary expulsion and suspensions from school and establishing programs which can instill in them an ownership of and appreciation for their education and, thus, a stake in their own futures
- * Strengthening the family unit so that juveniles can remain in their homes rather than be institutionalized
- * Establishing community-based programs for the rehabilitation of youthful offenders and to prevent delinquency
- * Involving citizens having a special concern for the protection of children and youth in improving their states' juvenile justice system.

Important strides have been made toward accomplishing the mandates and objectives of the Act. There still remains, however, much to be done. For example, we have yet to accomplish the jail removal mandate (nearly 50,000 juveniles each year still are placed in adult jails and lock-ups). Also, continued vigilance is required to assure that status offenders and neglected, dependent children are not confined in detention or correctional facilities.

In addition, the National PTA believes that any reduction in the federal commitment would turn back the clock on the improvements made in our juvenile justice system as states and local communities would be hard pressed to continue the programs initiated under the Act. Last year, National PTA joined other child advocacy organizations in working with the Congress to enact the 1984 Juvenile Justice Amendments and maintain the historic federal role in the protection of children and youth.

The National PTA urges the Congress to continue its support by rejecting, as it has over the past five years, the Administration's proposal to abolish the Office of Juvenile Justice and Delinquency Prevention as contained in the administration's FY 1986 proposed budget. National PTA supports a funding level of \$100 million for FY 1986 so that adequate services can be provided under the Act.

Further, we ask the Congress to reject the Administration's FY 1985 rescission and transfer of \$13 million, and to require that the funds be allocated to states and communities as set forth in the statute.

Finally, Mr. Chairman, National PTA looks to your leadership and that of your Subcommittee in ensuring that the 1984 Amendments are implemented appropriately. In that regard, we are concerned that the Office of Juvenile Justice and Delinquency Prevention has not complied with Congressional intent in its proposed regulations for the Formula Grant Program published on February 13, 1985.

First, the proposed rules would allow the placement of status offenders in "staff secure" facilities. The term "staff secure" does not appear in the statute. We do not know what it means. We fear implementation of this provision would result in a retreat from the deinstitutionalization mandate of the Act and could prove harmful to many neglected, abandoned and troubled young people. It is our understanding that the GAO is conducting a study of this issue. National PTA believes no further action should be taken by the OJJDP to finalize any rule in this area and that Congress should do a thorough investigation of the issue.

Second, the proposed regulations set forth suggested membership for the juvenile justice State Advisory Groups. Here, too, the proposed rule is inconsistent with the statute. Following are National PTA's comments on this issue.

April 1, 1985

Mr. Alfred S. Regnery
Administrator, OJJDP
633 Indiana Avenue, N.W.
Room 1142B
Washington, D.C. 20531

Dear Mr. Regnery:

The National PTA, representing 5.5 million parents and teachers around the country, hereby submits comments on the Proposed Regulations (published February 13, 1985) to implement the formula grant program authorized by Title II, Part B, Subpart I of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended recently by P.L. 98-473.

The National PTA commends OJJDP for its inclusion, in the "Supplementary Information" which accompanied the proposed regulations, of a strong emphasis on the "involvement of parents and other family members in addressing the delinquency related problems of juveniles." This emphasis is consistent both with the specific references to parent and family involvement in the language of the statute (as amended last year), and with logic, which dictates that parents should play an important role in the development of juvenile justice and delinquency prevention policies and programs which affect their children.

Given this emphasis on parental involvement in the "Supplementary Information" section, OJJDP's flagrant disregard for Congressional language and intent with regard to the parental involvement provision in Sec. 223(a) (3) (C) (i) of the law (relating to State Advisory Groups) is inappropriate and requires immediate correction. Section 31.302(b) (2) of the proposed regulations urges states to

"consider. . . appointing at least one member who represents. . . a parents or other organization concerned with teenage drugs and alcohol abuse." This regulatory language contravenes the clear language and intent of the 1984 amendment in two ways. First, by urging that a state consider appointing a parent representative to the SAG, the regulation renders advisory a provision of law which is mandatory. (The law provides that a SAG "shall include. . . representatives of private organizations, including. . . those representing parents or parent groups.") Second, by juxtaposing "parents" organization with "other organizations concerned with teenage drugs and alcohol abuse", the regulations make the assumption, without any basis in statute, legislative history, or common sense, that the primary concern of parents with regard to juvenile justice and delinquency prevention relates to teenage drugs and alcohol abuse. On the contrary, parents are deeply concerned regarding all aspects of juvenile justice and delinquency prevention, including, but not limited to, the drug and alcohol abuse aspects.

We therefore request that OJJDP re-write this section of the proposed regulations so that it may conform to the parental involvement provision of the 1984 amendment.

Thank you for your consideration of this matter.

Sincerely,

Manya S. Ungar
Vice President for
Legislative Activity

Mr. Chairman, National PTA appreciates your strong support over the years for the Juvenile Justice and Delinquency Prevention Act and for your commitment to the safety and well-being of our nation's youth. We look forward to working with you and your subcommittee in the coming years.

Thank you for this opportunity to present the views of the National PTA.

Sincerely,

Manya S. Ungar

Manya S. Ungar
Vice-President for
Legislative Activity

MSU:yb

cc: Members, Subcommittee on Juvenile Justice

American Bar Association

May 3, 1985

Honorable Arlen Specter
Chairman, Subcommittee on
Juvenile Justice
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing to express the American Bar Association's long-standing support for the Office of Juvenile Justice and Delinquency Prevention. The Association, through its own Juvenile Justice Standards, supports the important congressional mandates expressed in the Juvenile Justice and Delinquency Prevention Act.

While the Association believes that there have been significant strides towards meeting these mandates throughout the country, it is aware that much must be done before full compliance is accomplished. For example, in the past year, Virginia and Missouri joined the handful of states that prohibit, by statute, the placement of juveniles in adult jails. At the same time, it must be recognized that the majority of states still permits jailing in certain circumstances. The continued existence of the Act and the Office remain crucial to promote positive movement in this area. The Association, which also endorses a prohibition on the placement of juveniles in adult jails and lockups, is extremely concerned that -- without the incentives provided by the Act and through the Office -- the jail removal initiative will come to a halt.

The efforts of the Office to effect the removal of status offenders from secure detention and correctional facilities are said by many to have been more successful than the jail removal initiative. Because, however, secure confinement is the "easiest" to administer, the Association fears that the removal of the incentives provided by the Office will result in significant and dramatic backsliding.

We, therefore, urge continued congressional support of the Office at funding levels at least as high as those authorized for the 1985 fiscal year.

Sincerely,



Robert D. Evans

RDE:gms
1169b

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STAFF DIRECTOR FOR
GOVERNMENTAL LIAISON
Craig M. Beas
STAFF DIRECTOR FOR
BAR LIAISON
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(202) 861-2700 ★

May 6, 1985

Honorable Arlen Specter, Chairman
Senate Judiciary Subcommittee on
Juvenile Justice
SH-518 Hart Senate Office Building
Washington, DC 20510

Dear Senator Specter:

The American Legion takes this opportunity to express continued support for the Office of Juvenile Justice and Delinquency Prevention. Our organization has for many years encouraged efforts to reduce the rate of juvenile delinquency, deinstitutionalization of status offenders and improvements in the administration of juvenile justice.

The continuation of the programs of the Office of Juvenile Justice and Delinquency Prevention are an essential element in efforts to assist every child to become a productive citizen. For these and other reasons we join in urging continued congressional support for the Office of Juvenile Justice and Delinquency Prevention.

As always, your attention to the views of The American Legion are appreciated.

Sincerely,

E. Philip Riffin, Director
National Legislative Commission

NATIONAL FIREHAWK FOUNDATION

P.O. BOX 27488

• SAN FRANCISCO, CALIFORNIA 94127 •

(415) 922-3242

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May 2, 1985

Senator Arlen Specter
331 Hart Building
Washington, DC 20510

Dear Sen. Specter:

Thank you for the opportunity to testify before the Senate Judiciary Subcommittee on Juvenile Justice Hearing on Juvenile Fire-setting on April 23, 1985.

The juveniles and their mothers were very appreciative of your effort on their behalf, and they hope the hearing spurs action on the federal level to address the number one major crime committed by children in America—arson.

As you are aware, The National Firehawk Foundation began as a two-year research and development project in San Francisco. Over 98% effective in treating recurrent juvenile firesetters by pairing them under mental health guidance with long-term firefighter volunteer companions, the foundation receives over 50 requests for help per week from around the country.

Our rapid development has resulted from a problem that is far greater than we ever suspected, and which we feel is in need of support from the Office of Juvenile Justice.

More children are arrested for arson than for any other major crime in America. 8,000 children each year are arrested for arson, accounting for 37% of all arson arrests. According to the FBI Uniform Crime report—the only national statistic kept on juvenile arson and firesetting—the crime has the highest rate of juvenile involvement of any Part I crime. (Nationally, arson accounts for 18 percent of all reported fires and 25 percent of the total dollar loss from fires.)

Fire service authorities view these statistics as the tip of the iceberg. Countless recurrent firesetters are arrested and charged—not for arson—but for vandalism or malicious mischief.



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Fire to these children is a tool—a powerful means of expressing their depression, frustration and anger. Children who light fires are usually victims of child abuse, neglect, drug abuse, learning disabilities, undiagnosed giftedness or behavior problems. Over 85% of these children are fatherless boys.

In these children, firesetting is a symptom of an underlying behavior or family problem. Until the individual problem is identified and treated, the child's firesetting continues.

In a study of adult arsonists currently in progress by our Foundation, a sample of 45 case histories of adult arsonists revealed that fully two-thirds of these adult arsonists had started at least one fire before the age of eighteen. Of those adults involved in youthful firesetting, 50% participated in multiple fires during their childhood and adolescence. Many of those involved in firesetting (55%) had set their first fire before age ten. Through our network of affiliates, we know of countless young adults now incarcerated for arson who were arrested repeatedly as youths. Beset with behavior problems, isolated from their peers, many of these men as youths were sought after by adult criminals. The criminals covered up their arson-for-profit activities by hiring juveniles to torch buildings. The extent to which adult arsonists use children to commit arson is unknown, but is worthy of study.

Recurrent firesetters are an anathema to the juvenile justice system. Children entering the system are often arrested repeatedly by arson investigators or the police, who hope that building an arrest record will eventually bring these children some form of help from juvenile authorities. Foster homes and in-patient mental health hospitals are not geared for children who can burn down their facilities. Sentencing, probation and confidentiality procedures differ from county to county, state to state. Child arsonists usually end up on the revolving door of arrest and release and re-arrest. Eventually these children end up as young adults warehoused in jails across the country.

Two children our Foundation is now trying to help might serve to illustrate the predicament of the thousands of other children across the country in similar situations.

Mark is an 18-year-old from New Jersey who lit 32 structure fires over a five-year period. He was repeatedly arrested and released during this period for arson. Prolonged sexual abuse by the child's father is suspected. The boy is now serving a five-year jail term—no mental health facility will take him.

Roger is a 16-year-old from Alabama. He is mildly mentally-retarded. Recently "voices" told him to burn two houses down, and if he did, he would become a hero. He did. He is now in jail for a two-year sentence.

It is the opinion of the Foundation that there is a great likelihood both youths' firesetting behavior will be exacerbated by their jail experience.

Efforts to help juvenile firesetters and their communities to date have been scattered or disorganized.

There is a lack of statistics on the local, state and national level to clearly define the nature and the magnitude of the problem.

There is a lack of research on the determinants of firesetting, the effectiveness of intervention strategies, and the relationship of juvenile arson to adult arson; and there is a lack of an organized effort and system for the dispersal and exchange of information between local, state, and federal agencies and communities on the problem of juvenile arson.

Most importantly there is a lack of assistance for duplication of model low-cost and effective programs like the Firehawks. After over one year of requests to the Office of Juvenile Justice, our requests remain unanswered. It has been by sheer perseverance of individuals committed to helping these kids and the enormous need for services by children and communities, that Firehawks continues to provide even modest services.

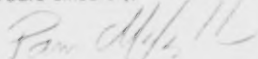
With this administration's emphasis on crime reduction, victims' assistance private-public partnerships, and volunteerism, we find the Office's stand towards child arson and the Firehawk Childrens Program to reflect adversely on this administration promises for federal intervention in these areas.

For the office of Juvenile Justice to ignore the major children's crime in America, or to have the office itself in danger of disbanding or reduction seems to us the antithesis of what the Reagan Administration says it stands for.

Continued support for the Office of Juvenile Justice, and for new program areas like child-arson, and for duplication of low cost programs like Firehawks will be the real test of whether this administration is truly committed to areas like crime reduction, and victims' assistance.

On a happier note, the juvenile arsonist - former sexual abuse victim who testified before your committee, has been released to the custody of the Firehawks, instead of being placed in an inpatient facility. His release represents a savings to society - both in terms of tax dollars and human suffering. He and his parents wish to convey their sincere thanks to you for their opportunity to represent the thousands of other children whos' fate is now in the hands of the people at the Office of Juvenile Justice, and this administration.

Yours sincerely,



Pamela McLaughlin
Founder and Chair
of the Board

the national network

of Runaway and Youth Services, Inc.
905 - 6th Street, S.W., Suite 411, Washington, D.C. 20024 (202) 488-0739



May 6, 1985

The Honorable Arlen Specter
Chairman
Subcommittee on Juvenile Justice
United States Senate
327 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Specter:

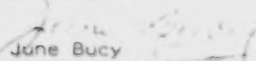
On behalf of the more than 500 member agencies of the National Network of Runaway and Youth Services, I want to express to you our deepest appreciation for your leadership on juvenile justice, delinquency prevention, and runaway and homeless youth issues and legislation. There is no doubt that your diligence on behalf of the youth and families that we serve in every state of this nation has lead to safer communities and more humane services systems.

I am writing in regard to the Juvenile Justice and Delinquency Prevention Act, which includes Runaway and Homeless Youth and Missing Children's Assistance. As you well know, the Reagan Administration again has proposed zero funding. Because of your Subcommittee's oversight responsibilities, and also because of the leadership which you bring to the Appropriations Committee, the National Network strongly encourages you to oppose the defunding of OJJDP.

Many of the runaway and homeless youth shelters that are National Network members receive OJJDP funds from their respective states under the formula grants program. Furthermore, to dismantle the Office of Juvenile Justice and Delinquency Prevention at this time--would send exactly the wrong signal to state and local governments and law enforcement agencies.

While my organization has some significant problems with certain aspects of present OJJDP's program priorities, the resolution of these difficulties does not lie in defunding the office. I ask that you continue with your rigorous oversight and advocacy on behalf of these desperately-needed youth programs and work to assure sufficient funding levels for all parts of the Juvenile Justice and Delinquency Prevention Act. The National Network Board of Directors, member agencies, and I would be pleased to provide any support to you and your staff on this issue. Please do not hesitate to call our office. Again, our appreciation and respect to you for your years of consistently superior leadership on behalf of America's children and youth.

Sincerely,


June Bucy
Executive Director

AD HOC COALITION FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

A group of over 50 national, state and local organizations
committed to responsible juvenile justice policies and programs

May 6, 1985

The Honorable Arlen Specter
Chairman
Subcommittee on Juvenile Justice
United States Senate
327 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Specter:

The Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention is comprised of more than 50 national groups and membership organizations that are deeply concerned about the issues of juvenile justice, delinquency prevention, runaway and homeless youth, and missing children. Our diverse membership ranges from the American Bar Association and the American Legion to the Child Welfare League of America and Boys Clubs of America.

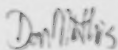
I want to take this opportunity on behalf of the Coalition to thank you for your years of strong leadership as Chairman of the Subcommittee on Juvenile Justice, and for the many significant youth efforts which you have successfully championed. We want you to know that we remain most supportive of you and your work in the area of juvenile justice.

As Co-Chairperson of the Ad Hoc Coalition, I am writing to reaffirm our position that OJJDP must be maintained, and that sufficient funds must be appropriated for all Titles of the Act. We were proud to support your leadership last year during reauthorization of the JJDP, and we are hopeful that you will continue in your diligence to insure that the intent of the Act is carried out with sufficient funds.

Naturally, the Ad Hoc Coalition opposes the President's recommendation for zero funds for FY'86. For the past two years, the Ad Hoc Coalition has requested \$100 million for OJJDP, \$50 million for the Runaway and Homeless Youth Act (Title III), and \$10 million for Missing Children's Assistance. While the member agencies of the Ad Hoc Coalition understand the budget/appropriation difficulties which you and the Congress face, we remain convinced that the federal deficit can not and should not be balanced on the backs of America's youth and families.

We urge your continued support of the Juvenile Justice and Delinquency Prevention Act, and the members of the Ad Hoc Coalition would be glad to be of any assistance to you, the Subcommittee, or your staff. Please do not hesitate to call me at 486-0739 if we can be of further assistance.

Sincerely,



Don Mathis
Co-Chair, the Ad Hoc Coalition



NATIONAL EDUCATION ASSOCIATION • 1201 16th St., N.W., Washington, D.C. 20036 • (202) 822-7300
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GOVERNMENT RELATIONS

Linda Tarr-Whelan, Director

DON CAMERON, Executive Director

May 6, 1985

The Honorable Arlen Specter
 Chairman
 Subcommittee on Juvenile Justice
 Room 815
 Senate Hart Office Building
 Washington, D.C. 20510

Dear Chairman Specter:

I am writing on behalf of the National Education Association (NEA), representing 1.7 million public school teachers, education support personnel, and higher education faculty, to express our strong support for the continuation of the Juvenile Justice and Delinquency Prevention Act (JJDPA).

You, as one of the chief Congressional advocates of this program, are well aware of the effective programs under JJDPA which help to reduce juvenile delinquency and aid our troubled youth. JJDPA is virtually the only federal program to directly address these issues. It also contains provisions for programs to prevent students from dropping out of school and to reduce unwarranted and arbitrary suspensions.

NEA supported last year's reauthorization, and is particularly pleased that several provisions were added to the Act which strengthen the focus on the special educational needs of delinquent youth and the problems of school violence and vandalism.

NEA is opposed to the Administration FY86 budget proposal of zero funding for JJDPA. We look forward to working with you to ensure continuation of this important program at adequate funding levels.

Sincerely,

Linda Tarr-Whelan
 Director of Government Relations

LT-W/par

cc: Senator Paul Simon, Ranking Democrat



GIRLS CLUBS OF AMERICA, INC.

1030 FIFTEENTH ST., N.W., SUITE 846, WASHINGTON, D.C. 20005 • (202) 682-1626

May 7, 1985

Milfred Kiefer, Writ
DIRECTOR
WASHINGTON OFFICE

Nancy Reagan
HONORARY CHAIR

The Honorable Arlen Specter
Room 327
Hart Senate Office Building
Washington, DC 20510

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Vida C. Spofford
Lucille M. Wright

NATIONAL HEADQUARTERS

205 Lexington Avenue
New York, NY 10016
(212) 684-3700

Dear Senator Specter:

Girls Clubs of America (GCA) appreciates your support for the continuation of a federal Office of Juvenile Justice and Delinquency Prevention. For the past ten years, we have taken every reasonable opportunity to express our belief that the federal government has legitimate and significant roles to play in this issue: to provide national visible leadership to the effort to deinstitutionalize children and to provide positive alternatives; to coordinate federal efforts in line with a national policy on prevention; to use its limited funds to encourage states to follow similar policies; to provide a center for research on the causes and prevention of delinquency; and finally, to provide direct funding for demonstration programs in areas of special interest. We believe that need for federal leadership in delinquency prevention continues today. Our own organization experience validates our belief.

GCA is a national direct service and advocacy organization, serving more than 200,000 girls aged 6-18 in 240 centers across the country. With 40 years of experience in working with and for girls, we know that juvenile delinquency prevention programs make a difference for many girls and young women, who need to learn how to make positive life choices. The leadership role mandated to the federal government by the Juvenile Justice and Delinquency Prevention Act of 1974 created a climate that enabled us to increase substantially the private funding support for our activities directed toward juvenile justice programming. We have more than doubled the number of affiliated Girls Clubs that serve girls at risk and have greatly improved the quality and effectiveness of their services. We have educated our national and local Board leadership on juvenile justice issues and increased their commitment to advocacy on these issues as they affect adolescent females.

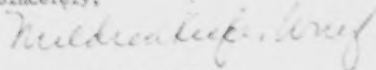
"It doesn't matter where a girl comes from, as long as she knows where she's going"

Direct funding from an early delinquency prevention initiative of OJJDP helped us to demonstrate in seven target communities various approaches to reaching girls at risk with supportive programs. These program models have been shared throughout our network. Thus, with the federal leadership and support that has been available in the past, we have positively affected the lives of hundreds of girls by reducing offenses and providing role models for previously alienated girls and young women.

Comprehensive programs need resources--and it is more expensive to raise a girl's self esteem than to provide a supervised hour on the basketball court. We believe that what is needed is a federal commitment to delinquency prevention. This means that federal appropriations must be maintained at least at current levels.

Thank you for your leadership in support of juvenile delinquency prevention, and the continuation of the Office of Juvenile Justice and Delinquency Prevention. The job is an ongoing one; GCA will continue to advocate on behalf of girls and young women for an active federal role in juvenile justice and delinquency prevention.

Sincerely,



Mildred Kiefer Wurf
Director, Washington Office

cc: Barbara Miller, Chair
GCA Advocacy Committee

The National
Coalition of Hispanic Mental
Health and Human Services
Organizations



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RODOLFO BALLI SANCHEZ
National Executive Director

May 6, 1985

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Washington, DC

The Honorable Arlen Specter
United States Senate
Washington, D.C. 20515

Dear Senator Specter:

I applaud your efforts in support of the Office of Juvenile Justice and Delinquency Prevention. Since its inception, OJJDP has provided states and localities with the leadership and resources needed to stimulate improvements in the juvenile justice system and innovative prevention programming - dual strategies which are necessary if we are to reduce youth incarceration, crime and delinquency.

There are significant national trends in the juvenile justice field which must be addressed, and doing so would be much more difficult if this office were abolished. I speak now of the increasing proportion of minorities being held in detention centers and training schools. As the enclosed study shows, the percentage of Hispanics in such facilities is also greatly increasing.

Minority communities desperately need to address these issues, and we need to do it in conjunction with the lead federal agency - OJJDP. I hope that your efforts to ensure that OJJDP is funded in FY 1986 will be successful and that we can continue to work on mutual concerns.

Sincerely,

Rodolfo Balli Sanchez

THE L.J. SKAGGS AND MARY C. SKAGGS FOUNDATION
1330 BROADWAY, SUITE 1730
OAKLAND, CALIFORNIA 94612

LAURA A. LEDERER
PROGRAM OFFICER
(415) 431-9300

Dr. Myra Sadker
Department of Education
American University
4400 Massachusetts Avenue NW
Washington, D.C. 20016

Dear Dr. Sadker:

I am writing to you in support of the project entitled, "The Role of Pornography and Media Violence in Family Violence, Sexual Abuse and Exploitation, and Juvenile Delinquency," which is being run by Dr. Judith Reisman.

As you may know, there has not been a comprehensive survey of research on the harmfulness or harmlessness of pornography since the Commission on Obscenity and Pornography, which met in 1969. At that time, the Commission actually ran some experiments, and gathered other research it could find on the subject, but due to time limitations and research biases, much of the research is inadequate and therefore not useful. In addition, the subject of the danger of pornography to juveniles had barely surfaced at the time. We know now that adolescence is a very impressionable time, especially with regard to sexuality, and a new interest has arisen in this country as to the effects of pornography on juveniles. Quite a bit of research is being done on this subject, as well as on the issue of the harmfulness or harmlessness of pornography to adults. As a former national organizer for women who wanted to speak out on the subject, and as the editor of the book, TAKE BACK THE NIGHT, which is a collection of articles by women on pornography, I urge you to support Dr. Reisman's project.

In my opinion, Dr. Reisman is highly qualified to carry out the program she outlines: the gathering of research which will then be analyzed from a multidisciplinary approach in order to determine the effects of pornography on juveniles. While there are many researchers at work in the United States today to determine, through a series of set experiments, the effects of pornography on one part of our population or another, no one has yet brought together all these researchers and their findings. In addition, Dr. Reisman intends, as I understand it, to involve nationally and internationally known experts working on subjects that

intersect with this one.

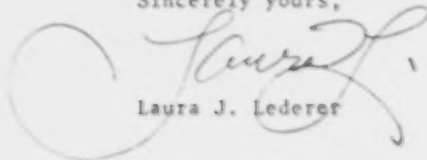
It takes a special kind of person, with a wide breadth of knowledge on the subject, an ability to work with professionals from a variety of fields, and a great creativity, to make such a project a success. I believe Dr. Resiman has these qualities. She has been at work on this subject for more than a decade and has proved herself deeply committed to analyzing and understanding the effects of pornography. She is articulate, well versed in the literature, and she combines an energy and enthusiasm with a serious and studied approach.

I have known Dr. Resiman for seven years and relied on her expertise during the early years of my work writing and editing a newsletter on the subject of pornography in 1978. I interviewed her for one issue of that newsletter. The interview later became an article in my book when she wrote additional material for it in 1980. I have seen her presentations and have been particularly impressed by her analysis of softcore pornographic use of violence.

I hope this letter is of some help to you. If you have any further questions, I would be happy to speak with you.

Best wishes.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Laura J. Lederer". The signature is fluid and elegant, with a large loop at the beginning and a long, sweeping tail.

Laura J. Lederer

8 February 1984

NATIONAL COALITION
OF
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April 15, 1985

The Honorable Arlen Specter, Chairman
Subcommittee on Juvenile Justice
U. S. Senate
Washington, D. C. 20510

Dear Senator Specter:

I understand that you will soon be holding an oversight hearing on the Juvenile Justice and Delinquency Prevention Act. I am enclosing a copy of testimony I presented to the House Appropriations Subcommittee on State, Justice and Commerce and the Subcommittee on Human Resources on April 3 and April 4 on the need for continued funding for Juvenile Justice at a minimum of \$70 million. In addition, my testimony includes the recommendation that Congress not approve the Department of Justice's request to transfer \$13 million to the U.S. Marshals from the Office of Juvenile Justice and Delinquency Prevention but rather direct the Administrator of the Office to follow the statutory provisions of the Act and allocate the money to the states.

Contrary to what Mr. Ragnery will probably tell you, there is absolutely no assurance that states will continue to meet the mandates of the Act on their own, absent any federal funding. In fact, in my conversations with SACs and Juvenile Justice Specialists in many states, I have found grave concerns about maintaining current programs and initiatives in the light of very tight state budgets. In addition, everyone with whom I have spoken has stated that, without federal leadership and resources, the efforts to remove juveniles from adult jails and lockups will cease. The states cannot accomplish removal without assistance from the Congress. The Administrator of the Office appears to have little interest in assisting states in efforts to remove juveniles from jails, since, in spite of a request from the National Coalition that the Office provide additional resources to help us meet the removal mandate, the 1985 Program Plan includes no mention of jail removal, or of any other mandate of the Act. The Program Plan also includes no mention of any delinquency prevention initiatives either.

I am also enclosing a copy of a letter I wrote Mr. Regnery about his issuing a draft regulation regarding "staff secure", which does not appear in the Act at all. I suggested it would be appropriate for him to wait for the results of a GAO study, which I understand you have requested. This regulation appears to circumvent the intent of the Act by stating it is appropriate to securely detain status offenders as long as it is done with "people" and not "hardware". The fact remains that secure detention is secure detention, regardless of how it is accomplished.

When the Act was reauthorized last fall, it included a provision that the Office sponsor a State Advisory Group Conference at least every two years. Mr. Regnery indicated that the Office would be willing to sponsor a conference this year (1985) and would provide some money to the National Steering Committee, which serves as the Executive Committee of the National Coalition, to plan for the Conference. In response to various proposals from the National Steering Committee, Mr. Regnery finally indicated that \$125,000 would be available for the conference. The National Steering Committee began planning for the conference in December. All four of the regional coalitions, which include all participating states, have voted to hold the conference in Washington, D. C., since the Act states that the main purpose of the Conference is to advise the President, the Congress and the Administrator of the Office, all of whom are located in Washington. We also hope that, by holding the conference in Washington, it will be possible for you to address the participants as one of our featured speakers. The NSC plans are based on a conference to be held in Washington September 29 - October 2. When some members of the NSC met with Mr. Dailey, Mr. Regnery's assistant, on April 3, Mr. Dailey informed us that the conference could be anywhere but Washington, D. C. or its metropolitan area. I am having difficulty understanding why, when the State Advisory Groups have voted to hold their national conference in Washington, the Administrator of the Office is telling us the conference can be anywhere but Washington.

Thank you for your attention to these concerns. If I can provide you with further information, please let me know. The SACs look forward to working with you and the members of your Subcommittee to ensure that the Act is implemented in the manner in which Congress intended.

Sincerely yours,

A. L. Carlisle

A. L. Carlisle, Chairman
National Coalition

cc: Senators Jeremiah Denton, Charles Mathias, Mitch McConnell, Howard Wetenhausen, Paul Simon, Strom Thurmond, Joseph Riden, Ernest Hollings, Paul Laxalt, Mark Hatfield, John Stennis, Paula Hawkins

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April 1, 1985

Alfred E. Segmery, Administrator
Office of Juvenile Justice & Delinquency Prevention
633 Indiana Avenue, N. W.
Washington, D. C. 20531

Dear Al:

In regard to the proposed regulations, I am puzzled as to why the regulations state that the definition of "secure" has been clarified to indicate that it does not include staff secure facilities. As I recall, there was a great deal of controversy during the reauthorization process about the meaning of "staff secure". The term was rejected during the negotiation process, because it has never been defined, and there were many questions as to what "staff secure" actually meant. It is my understanding that Senator Specter has requested GAO to do a study of what is meant by "staff secure", based on the many questions by Senators and Representatives.

I would suggest that, before the definition of "secure" in regard to "staff secure" is placed in the regulations, you wait for the results of Senator Specter's request to GAO for such a definition. The way the proposed regulations read now, "status offenders and nonoffenders may be held for purposes of their own safety in a facility which is 'staff secure', however that is ultimately defined, ...for a limited and reasonable period of time, or such time allowed by State law, in order to assure their own protection and safety". "Limited", "reasonable", and "their own protection and safety" are all vague, subjective terms. This section appears contrary to the deinstitutionalization mandate of the Act, and I do not understand why it has been included in the regulations.

Thank you for your consideration of this suggestion.

Sincerely,

A. L.

A. L. Carlisle, Chairman
National Coalition

cc: Senator Arlen Specter

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TESTIMONY OF
A. L. CARLISLE, CHAIRMAN
OF THE
NATIONAL COALITION
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS
BEFORE
THE UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON STATE, JUSTICE AND COMMERCE
OF THE
COMMITTEE ON APPROPRIATIONS

APRIL 3, 1985

Mr. Chairman and Members of the Subcommittee:

I am A. L. Carlisle, Chairman of the National Coalition of State Juvenile Justice Advisory Groups. I also serve as Chairman of the Northeast Coalition of State Juvenile Justice Advisory Groups and as Chairman of the Maine Juvenile Justice Advisory Group. I am pleased to have been invited to share with you some reasons why the State Advisory Groups believe that the Juvenile Justice and Delinquency Prevention Act must continue to be funded and the potential impact of the President's budget proposal for FY 1986.

Section 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act requires each state, which applies for formula grant funds under that statute, to appoint an advisory group consisting of between 15 and 33 persons "who have training, experience, or special knowledge com-

cerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice". The members of State Advisory Groups are appointed by the governors of the respective states. Their responsibilities include advising the governor and legislature on matters relating to juvenile justice, including compliance with the requirements of the Act, and developing a comprehensive state juvenile justice plan and reviewing the progress and accomplishments of programs under that plan. When the Act was reauthorized in October, 1984, the State Advisory Groups were given the added responsibility of advising the President, the Congress and the Administrator of the Office of Juvenile Justice and Delinquency Prevention. State Advisory Group members serve as volunteers and donate their time and energy to improving the juvenile justice system for juveniles. State Advisory Groups play a major role in the implementation of the Act at the state and local level and, thus, are in a key position to comment on the continued need for the Act.

The Juvenile Justice and Delinquency Prevention Act is an extremely effective piece of legislation, which has led to progress toward a more humane and more rational approach to juvenile justice. It has provided a focus for local, state and national commitments to juvenile justice issues. It has provided a planning capability, within state governments, for juvenile justice issues and has encouraged a dialogue among factions which have, all too often, immobilized the system through lack of communication. It has encouraged policy changes at both state and local levels regarding deinstitutionalization of status and non-offenders and separation of juveniles from adults in secure facilities and has encouraged the development of community-based prevention, diversion and treatment programs. The JJDP Act has exerted great influence on systems planning, on developing a range of services for juveniles resulting in the prevention of entry into the juvenile justice system, on the ability of communities to offer alternatives outside the juvenile justice framework, on expanding the expertise and resources of communities to deal with their own problems of juvenile delinquency. Use of the "least restrictive alternative" has been encouraged in an effort to maintain juveniles within their own families and/or communities whenever possible. The problem of the serious/violent juvenile offender has been recognized, and programs, which deal with the needs of both the offender and the community, continue to be developed.

The Act has clearly served as an incentive to states to improve their

juvenile justice systems. While Juvenile Justice and Delinquency Prevention funds have always been but a fraction of the total system costs, they have, nonetheless, served as a catalyst to increase both the efforts and resources devoted to improving services to juveniles within the states.

If funding for the Act is not continued, new programs will be difficult to start because of budgetary constraints within the states, existing programs may have difficulty in continuing, and improvements in the system will be more difficult to implement. States are concerned that, without the Act, status offenders may once again be institutionalized, juveniles may continue to be locked up with adults, and efforts to remove juveniles from jails will be stalled or will cease entirely. For without the Act and its mandates, without the money available under the Formula Grant program and without the advocacy efforts of the State Advisory Groups, many of the improvements to the system and services to juveniles would never have occurred.

There are currently 52 states and territories participating in the JJDPFA. There are 46 states and territories in compliance with the deinstitutionalization mandate and 36 in compliance with the separation mandate. States are in different positions in regard to the jail removal mandate, which must be met by at least a 75% reduction in the number of juveniles held in adult jails and lockups by December 8, 1985.

What will be the impact of the President's budget requesting zero funding for Juvenile Justice for FY 1986? In a word - devastating! While much has been accomplished, much remains to be done. Without Federal leadership, support and resources, much of what has been accomplished will be at risk and much of what needs to be done will never be done.

States are already experiencing problems associated with the President's request for no funding. The Office of Juvenile Justice, which is supposed to provide leadership and support to the states, has recently proposed a three-year phase-out plan for the Office. The State Advisory Groups will find it increasingly difficult to fulfill their responsibilities while the Office concentrates on phasing itself out of existence. If Congress continues to appropriate funding for the Office, and, if the President continues to include no funding for juvenile justice in his budget requests, then the Office will be in a constant state of planning to phase itself out and then reversing that plan until the next budget request for no funds is submitted. Obviously, states will receive little or no assistance in

their efforts to improve their juvenile justice systems and to comply with the Act.

State Advisory Groups have submitted their three-year, comprehensive statewide juvenile justice plans to the Office for approval, a requirement for receiving JJDP funds. These plans include crime analyses, problem statements, proposed activities to deal with identified problems, coordinating mechanism, compliance issues and proposed solutions, advocacy and legislative strategies, training needs and activities, public education efforts and much more. These plans are the result of an enormous effort on the part of many people, including commissioners and representatives of state youth-serving departments, legislators, law enforcement personnel, local and county officials, representatives of youth-service agencies and groups, citizens, juveniles within the juvenile justice system and the SAGs themselves. The information is gathered through public hearings, innumerable meetings, lengthy correspondence, etc. The activities are planned for a three-year period, with proposed objectives being reached at the end of that period. Many objectives involve a commitment by the state to continue programs which prove to be effective. Without the continued commitment of Congress to this program, these plans will not be implemented. The next time commissioners, legislators, etc., are approached about joint efforts or support for activities and programs for juveniles, they will be much more skeptical and far less willing to spend time in such planning and coordinating efforts.

The information and resource sharing that occurs among the states will be greatly lessened, if not entirely eliminated. States borrow successful approaches and programs from each other, sharing both what works and what does not work. Through this information-dissemination process, much duplication of effort is avoided. If a state has a successful program in a particular area, chances are at least some of those program strategies may be useful and applicable to other states. Without this sharing, each state will be left to its own devices, all too often reinventing the wheel again and again.

States, which have made progress in preventing and treating juvenile delinquency, in improving the juvenile justice system and in complying with the mandates of the Act, have relied on JJDP funds to develop statewide juvenile justice plans; to develop and fund community-based alternatives to jails and institutions; to promote programs which involve treatment of

juveniles and their families; to test various approaches to the prevention of delinquency and to develop more effective means of dealing with chronic/violent offenders and much, much more. Juvenile Justice money has been used to try innovative, creative approaches to dealing with juveniles. The costs of many of these programs have been assumed by the states after their effectiveness has been demonstrated. Many state budgets remain at previous spending levels or are being reduced, thus making the funding of programs not previously included in state budgets unlikely. Few state bureaucracies are noted for taking innovative approaches to the complex problems of delinquency. One of the main sources of support for the "risk-takers" or "creative thinkers", the JJDF funds, will disappear to the detriment of both the juveniles and the system, as well as to society.

In many states, efforts to more effectively deal with delinquency will slow down and, in some cases, may even cease. Lack of funding will prevent the establishment of critically needed, community-based alternatives. In New Jersey, for example, the inability to provide more community-based alternatives will lead to placing more juveniles in jails, thus jeopardizing efforts to maintain the separation of juveniles from adults and to remove juveniles from jails. In many of the Western states, programs to provide services to juveniles do not have a very high priority. Without the JJDF, in terms of both leadership and resources, the progress made in those states will likely cease. Prevention programs, shelter systems and crisis intervention programs to help troubled families will all be endangered.

The lack of funding for Juvenile Justice will sound the death knell for the jail removal effort. States are relying on JJDF funds to implement the jail removal mandate of the Act. Michigan used JJDF money for a pilot project, which has resulted in a decrease from 500 juveniles detained in jails per year to 25, in the Upper Peninsula. JJDF funds were also used for a statewide public education effort and for training workshops. All three efforts were pivotal in bringing Michigan to the point it is now, with the state beginning to assume the costs associated with jail removal and to expand the program on a statewide basis.

Kansas has introduced legislation to require the removal of juveniles from jails and has used JJDF money for planning and developing pilot projects to test alternatives to jails.

Colorado has reduced its juvenile jail population from 6000 to 2000, has introduced legislation requiring removal of juveniles from jails and is

expanding successful pilot projects to cover the rest of the state. Without JJDP funds, none of these things would have happened.

Idaho has used JJDP funds to create and support regional youth councils, which are responsible for planning for jail removal and for developing alternatives to jails.

Virginia has just passed legislation which prohibits the detention or confinement of juveniles in adult jails after July 1, 1986. It will cost \$1 million to establish alternative programs, transportation systems, etc. The Virginia SAG plans to use much of its current year JJDP award and all of its FY 1986 and FY 1987 awards to implement this legislation. There are currently no state funds available for this effort.

Maine has used JJDP funds to fund a Jail Monitoring Committee, which is responsible for developing Maine's jail removal plan and assisting in its implementation, and to fund a pilot project to demonstrate effective alternatives to jails. Maine is having a difficult time persuading the Governor, the legislature and the counties to support alternatives to jails because of the uncertainty of continued funding from the federal government. The cost of alternatives to jails to the state greatly exceeds the \$225,000 Maine receives under the Act. Nonetheless, that federal money does provide an incentive for the state to be involved in the jail removal effort. I now find myself in the position of being unable to answer the question, "What about funding for next year and the year after?". SAG members from other states are encountering the same question. How do we begin new programs, mandated by Congress, without assurance that support for those programs will be continued? What do we do about those efforts that are currently underway? And what does all of this uncertainty do to the juveniles to whom services have been provided or promised?

States are in the middle of the jail removal process. Some 15 states, among them Virginia, North Carolina, Missouri, Tennessee, Oregon, Oklahoma, Pennsylvania, Massachusetts, Connecticut, Rhode Island, have passed legislation requiring the removal of juveniles from jails. Continued support is needed in order to implement such legislation. Another 20 states, among them Maine, Kentucky, Colorado, Mississippi, Kansas and Idaho, have submitted, are in the process of submitting or planning to submit legislation. Most of the remaining states are planning for and developing alternatives. Without the

Act, most of these activities would never have been started. Without continued funding, most of them will cease.

Most states and local governments have made a tremendous effort to follow the federal direction and leadership as outlined in the Act. When Congress passed the JJDF in 1974 and when it reauthorized the Act in 1977, 1980 and 1984, Congress clearly indicated that deinstitutionalization, separation and jail removal were a national priority. States and territories were invited to participate in the Act, and 52 have chosen to do so. The Act was to provide for a partnership among federal, state and local governments. States took the federal government at its word. They revised their juvenile codes to reflect the mandates of the Act; they passed reform legislation; they established planning and monitoring capabilities; they recognized that JJDF money was seed money and used their own resources to continue effective programs started with JJDF funds. In short, states have made and are continuing to make valiant efforts to improve services to juveniles as mandated by the Act. But we are only part way there, and we are in the middle of several critical initiatives. Many people have gone out on limbs to promote new approaches and test new theories. And now, the federal government wants to pull out of a partnership which has worked very well for ten years. For the federal government to abandon this partnership now, before the job is done, leaving many of us out on limbs and in the middle of promises which cannot be kept, is to do the states and local governments an enormous disfavor. Such a pull out will demonstrate to us a bad-faith effort on the part of the federal government. States and local governments will think twice, or maybe even more, before agreeing to join in another partnership with the federal government.

I would also like to comment on the Department of Justice's proposed transfer of unobligated JJDF funds in the amount of \$13,026,000 to the U. S. Attorneys and U. S. Marshalls. If the Administrator of the Office had followed the requirements of the Act, there would be no unobligated funds. Congress anticipated that, for various reasons, some funds might not be expended and very clearly provided for that possibility by including, in the Act, the procedure to be followed in the event that there were unexpended funds.

Section 223(d) states if a State chooses not to submit a plan, "the Administrator shall endeavor to make that State's allotment under the provisions of section 222(a) available to local public and private nonprofit agencies within such States for use in carrying out the purposes of subsec-

tion (a)(12)(A), subsection (a)(13) or subsection (a)(14)". These subsections are the deinstitutionalization, separation and jail removal mandates of the Act. The section goes on to state that the "Administrator shall make funds which remain available after disbursements are made by the Administrator under the preceding sentence, and any other unobligated funds, available on an equitable basis to those States which have achieved full compliance with the requirements under subsection (a)(12)(A) and (a)(13)".

Section 228(e) states that if "the Administrator determines...that a portion of the funds granted to an applicant under subpart II (Special Emphasis Prevention and Treatment Programs) of this part for that fiscal year will not be required by the applicant or will become available by virtue of the application of the provisions of section 802 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, that portion shall be available for reallocation in an equitable manner to States which have complied with the requirements in section 223(a)(12)(A) and section 223(a)(13) under section 224(b)(6) of this title.

Once it was apparent that there were unexpended funds--and the SACs were informed some months ago that such funds would be available to those eligible states, the Administrator should have immediately allocated that money to the eligible states, of which there are 34. The statutory requirements are very specific on this issue.

Congress should not approve the Department of Justice's request to transfer the \$13,026,000 in JJDF funds to the U. S. Attorneys and Marshalls but should rather direct the Administrator of the Office to follow the requirements of the Act and distribute the funds as follows:

1. A request for proposals for local public and private non-profit agencies within the non-participating states to work towards meeting the mandates of the Act should be developed and distributed within those non-participating states. If no responses are received from a non-participating state, that state's share is added to the rest of the unexpended money.
2. The remainder of the unexpended funds should immediately be allocated to the 34 states in compliance with both sections (a)(12)(A) and (a)(13) as a supplement to their Formula Grant awards.

In summary, I believe it is fair to state that, without a distinct and separate Juvenile Justice Act, with its own funding, much of the progress

made in the prevention and treatment of juvenile delinquency will cease. Many programs, activities and initiatives will stop in midstream, and others will never be implemented.

The Juvenile Justice and Delinquency Prevention Act was passed because Congress believed immediate and comprehensive action by the Federal Government was required to reduce and prevent delinquency. By reauthorizing the Act last fall, Congress indicated that such involvement by the Federal Government was still necessary. On behalf of the State Advisory Groups, I can assure you that the Federal Government's leadership and resources are still desperately needed. The federal, state and local partnership must continue if we are to meet the needs of the children and youth who are at risk of or who have come into contact with the juvenile justice system. We have all promised the juveniles of this country more humane and appropriate treatment. We have passed legislation and established programs to better serve juveniles and improve their chances of staying out of the juvenile justice system and never entering the criminal justice system. While it will be a bad-faith act on the part of the Federal Government to back out of its partnership with the states, it will be an unconscionable act to back out of promises made to those children and youth connected with the juvenile justice system.



**National
Conference
of State
Legislatures**

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President
John T. Bragg
Deputy Speaker
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State of Tennessee

Executive Director
Earl S. Mackey

May 6, 1985

Neal Manne
Subcommittee on Juvenile Justice
327 Hart Senate Office Building
Washington, D.C. 20510

Dear Mr. Manne:

The National Conference of State Legislatures strongly supported the reauthorization of the Juvenile Justice and Delinquency Prevention Act, the Runaway and Homeless Youth Act, and the Missing Children's Act; and the Conference now urges that Congress provide adequate funding for these important programs.

I would ask, then, that you bring NCSL's support of these programs to the attention of Senator Specter and the other members of the Juvenile Justice Subcommittee. I have enclosed a statement by Representative Jeffrey Teitz expressing NCSL's support for the Juvenile Justice Act. Please feel free to use this statement to document NCSL's support or, if you want, to include it in the hearing record.

Sincerely,

Bill Warren

William T. Warren - Senior Staff Associate
NCSL Law and Justice Committee

STATEMENT OF REPRESENTATIVE JEFFREY J. TEITZ

ON BEHALF OF THE

NATIONAL CONFERENCE OF STATE LEGISLATURES

REGARDING

THE JUVENILE JUSTICE AND DELINQUENCY
PREVENTION ACT

THE NATIONAL CONFERENCE OF STATE LEGISLATURES APPRECIATES THIS OPPORTUNITY TO EXPRESS ITS SUPPORT FOR THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT.* WE BELIEVE THE ACT CONSTITUTES AN EXAMPLE OF SUCCESSFUL INTERGOVERNMENTAL COOPERATION TO ADDRESS A SERIOUS SOCIAL PROBLEM. WE APPLAUD CONGRESS FOR REAUTHORIZING THE ACT IN 1984, AND WE URGE CONGRESS TO APPROPRIATE ADEQUATE FUNDS TO SUPPORT THE PROGRAM IN FISCAL YEAR 1986. ADEQUATE FUNDING IS ESSENTIAL IF WE ARE TO MAKE CONTINUED PROGRESS IN REMOVING STATUS OFFENDERS FROM INSTITUTIONS, IN REMOVING CHILDREN FROM ADULT JAILS, AND IN DEVELOPING COMMUNITY PROGRAMS TO MEET THE NEEDS OF TROUBLED YOUTH.

SINCE THE ENACTMENT OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT, 46 OF 50 STATES HAVE MADE SUBSTANTIAL PROGRESS IN REMOVING STATUS OFFENDERS FROM INSTITUTIONS. COMMUNITY PROGRAMS HAVE BEEN DEVELOPED TO PROVIDE ESSENTIAL SOCIAL SERVICES FOR THESE TROUBLED YOUNG PEOPLE, INCLUDING MENTAL HEALTH, EDUCATION, AND JOB TRAINING PROGRAMS. SUBSTANTIAL PROGRESS IS ALSO BEING MADE IN SEPARATING AND REMOVING CHILDREN FROM ADULT JAILS.

*THE NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL) IS THE OFFICIAL REPRESENTATIVE OF OVER 7,400 STATE LAWMAKERS.

BUT, THE SUCCESS OF THE PROGRAM DOES NOT MEAN IT IS NO LONGER NECESSARY. THOUGH WE HAVE COME A LONG WAY, WE STILL HAVE A LONG WAY TO GO. ACCORDING TO THE JAIL CENSUS OF THE U.S. DEPARTMENT OF JUSTICE, ON A TYPICAL DAY IN 1983, 1,760 CHILDREN WERE HELD IN JAILS IN THE UNITED STATES. I DON'T HAVE TO RECITE, HERE, THE HORROR STORIES ABOUT WHAT HAS HAPPENED TO CHILDREN LOCKED UP IN ADULT JAILS. WE HAVE ALL READ THE STORIES. SUFFICE IT TO SAY THAT AT BEST ADULT JAILS ARE SCHOOLS FOR CRIME AND AT WORST CHILDREN LOCKED UP IN JAILS ARE SUBJECT TO THE RISK OF PHYSICAL ABUSE AND SEXUAL EXPLOITATION BY OLDER PRISONERS.

THE REMOVAL OF CHILDREN FROM ADULT JAILS WILL REQUIRE THE CONTINUED COOPERATION OF THE FEDERAL GOVERNMENT, THE STATES, AND LOCAL GOVERNMENTS. CONTINUED FUNDING OF THE JUVENILE JUSTICE ACT WHICH IS THE BASIS FOR INTERGOVERNMENTAL COOPERATION TO REMOVE CHILDREN FROM ADULT JAILS IS THEREFORE ESSENTIAL.

CONTINUED FEDERAL-STATE-LOCAL COOPERATION IS ALSO NEEDED TO ENSURE THAT WE DEVELOP THE COMMUNITY RESOURCES NECESSARY TO MEET THE NEEDS OF TROUBLED CHILDREN. IF WE REMOVE CHILDREN INAPPROPRIATELY PLACED IN INSTITUTIONS AND JAILS WITHOUT PROVIDING ADEQUATE COMMUNITY SERVICES WE MAY BE NEGLECTING THEM AND PLACING THEM IN JEOPARDY JUST AS SURELY AS IF WE CONTINUED TO LOCK THEM UP WITH DANGEROUS OLDER OFFENDERS. DEINSTITUTIONALIZATION AND JAIL REMOVAL PROGRAMS COULD BE UNFAIRLY DISCREDITED IN THE MIND OF THE PUBLIC IF THIS IS ALLOWED TO HAPPEN. CHILDREN RELEASED FROM INSTITUTIONS MUST NOT BE ALLOWED TO WANDER THE STREETS, WHERE THEY ARE SUBJECT TO EXPLOITATION. THE NEED FOR MORE AND BETTER COMMUNITY PROGRAMS FOR TROUBLED YOUTH IS THE STRONGEST ARGUMENT FOR CONTINUING THE PROGRAMS AUTHORIZED BY THE JUVENILE JUSTICE ACT.

THE IMPORTANCE OF CONTINUING TO SUPPORT COMMUNITY PROGRAMS BECOMES CLEAR WHEN WE CONSIDER THE CHARACTERISTICS OF THE CHILDREN WHO COME UNDER THE CARE OF THE JUVENILE JUSTICE SYSTEM. VERY FEW OF THESE CHILDREN HAVE COMMITTED SERIOUS OR

VIOLENT CRIMES. FOR THE MOST PART, WE ARE TALKING ABOUT A POPULATION OF RUNAWAYS, TRUANTS, AND MALADJUSTED CHILDREN. USUALLY, WE ARE TALKING ABOUT CHILDREN WHO HAVE BEEN ABUSED AND NEGLECTED, CHILDREN WHO HAVE BEEN RAISED IN A DRUG CULTURE, AND CHILDREN WHO HAVE BEEN SEXUALLY EXPLOITED FROM A VERY YOUNG AGE. THESE ARE CHILDREN WHO IN MOST CASES ARE VICTIMS RATHER THAN VICTIMIZERS.

SYMPATHY FOR THE PLIGHT OF THESE CHILDREN SHOULD NOT LEAD US TO IGNORE THE FACT THAT A FEW ARE DANGEROUS AND ARE APPROPRIATELY PLACED IN SECURE RESIDENTIAL FACILITIES (LOCATED, ONE WOULD HOPE, IN THE COMMUNITY AND PROVIDING ADEQUATE SOCIAL, PSYCHIATRIC, AND EDUCATIONAL SERVICES). BUT AT THE SAME TIME, WE MUST NEVER FORGET THAT THE OVERWHELMING MAJORITY OF THESE YOUNG PEOPLE POSE NO DANGER TO THE COMMUNITY. PETTY OFFENDERS ARE APPROPRIATELY PUNISHED WITH ALTERNATIVE SANCTIONS SUCH AS RESTITUTION OR COMMUNITY SERVICE. AND VICTIMIZED CHILDREN CAN BE PROTECTED WITHOUT LOCKING THEM UP. ALL OF THESE CHILDREN WILL BENEFIT FROM A CONSTRUCTIVE PROGRAM OF COUNSELING, DRUG AND ALCOHOL ABUSE TREATMENT, EDUCATION, AND JOB TRAINING. PERHAPS, MOST IMPORTANTLY, THESE CHILDREN SHOULD BE GIVEN A CHANCE TO DEVELOP WARM AND TRUSTING RELATIONSHIPS WITH FAMILY AND FRIENDS IN THE COMMUNITY.

STATES AND COMMUNITIES ARE MAKING PROGRESS, WITH THE HELP OF JUVENILE JUSTICE ACT FUNDING, TOWARD DEVELOPING COMMUNITY ALTERNATIVES TO JAILING AND INSTITUTIONALIZING CHILDREN WHO COME UNDER JUVENILE COURT SUPERVISION. BUT, WE ARE A LONG WAY FROM HAVING THE SYSTEM OF COMMUNITY PROGRAMS REQUIRED TO ADDRESS THE NEEDS OF THESE TROUBLED YOUNG PEOPLE.

THIS IS NOT THE TIME TO CUT-BACK OR ELIMINATE PROGRAMS AUTHORIZED BY THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT. OUR SUCCESS UP TO THIS POINT, ESPECIALLY IN DEINSTITUTIONALIZING STATUS OFFENDERS, MUST NOT BLIND US TO THE SERIOUSNESS OF THE PROBLEM WE FACE WITH RESPECT TO REMOVING

CHILDREN FROM ADULT JAILS AND FINDING APPROPRIATE COMMUNITY PROGRAMS FOR THEM.

NCSL THEREFORE URGES CONGRESS TO APPROPRIATE ADEQUATE MONEY IN FISCAL YEAR 1986 TO MAINTAIN THE CURRENTLY MODEST LEVEL OF FEDERAL ASSISTANCE TO STATES AND COMMUNITIES SEEKING TO HELP THE TROUBLED CHILDREN UNDER THE CARE AND SUPERVISION OF OUR JUVENILE JUSTICE SYSTEM.



CHILD WELFARE LEAGUE OF AMERICA, INC.
 CENTER FOR GOVERNMENTAL AFFAIRS
 440 First St. NW, Suite 520, Washington, D.C. 20001 (202) 638-CWLA

TESTIMONY PRESENTED TO THE
 SUBCOMMITTEE ON JUVENILE JUSTICE
 COMMITTEE ON THE JUDICIARY
 UNITED STATES SENATE
 ON BEHALF OF
 THE CHILD WELFARE LEAGUE OF AMERICA
 BY

DAVID S. LIEDERMAN
 EXECUTIVE DIRECTOR
 CHILD WELFARE LEAGUE OF AMERICA

MAY 7, 1985

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, MY NAME IS DAVID LIEDERMAN AND I AM THE EXECUTIVE DIRECTOR OF THE CHILD WELFARE LEAGUE OF AMERICA. THE LEAGUE IS A MEMBERSHIP ORGANIZATION COMPOSED OF MORE THAN 350 PUBLIC AND PRIVATE, NOT-FOR-PROFIT CHILD WELFARE AGENCIES AND 1200 AFFILIATES THROUGHOUT THE UNITED STATES AND CANADA. AMONG OUR MEMBERS FOR EXAMPLE, ARE INCLUDED THE DONALD M. WHALEY CENTER IN FLINT, MICHIGAN AND IOWA'S CHILDREN AND FAMILY SERVICES PROGRAM.

THE LEAGUE SEEKS TO REPRESENT THE NEEDS OF TROUBLED CHILDREN -- THOSE WITHOUT HOMES, THOSE WHO HAVE BEEN ABUSED AND NEGLECTED, THOSE IN NEED OF ADOPTION SERVICES AND FOSTER CARE. INCREASINGLY OUR MEMBERS ARE SERVING CHILDREN WHO ARE NOT ONLY TROUBLED BUT "IN TROUBLE". THAT IS WHY THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT IS SO IMPORTANT.

THE CHILD WELFARE LEAGUE WAS ONE AMONG A NUMBER OF NATIONAL ORGANIZATIONS TO ORIGINALLY SUPPORT PASSAGE OF THE JUVENILE JUSTICE ACT IN 1974. WE ARE VERY PROUD TO PRESENT TESTIMONY ON ITS OPERATION TEN YEARS LATER, AFTER IT'S RECENT REAUTHORIZATION FOR AN ADDITIONAL FOUR YEARS.

THIS MORNING, I WILL ATTEMPT TO OUTLINE OVERSIGHT CONCERNS IN FOUR AREAS -- AND I WILL DO SO BRIEFLY SO AS TO ALLOW TIME FOR DISCUSSION. THESE AREAS

ARE: APPROPRIATIONS; THE ADMINISTRATION'S PROPOSED TRANSFER OF OJJDP FUNDS TO THE U.S. MARSHALLS SERVICE; THE APPROPRIATENESS OF SO-CALLED "STAFF SECURE" FACILITIES FOR STATUS OFFENDERS; AND, PROGRAMS FOR FOSTER CARE. IF, HOWEVER, I HAD TO SUM UP THE POSITION OF THE CHILD WELFARE LEAGUE IN ONE SENTENCE, IT WOULD BE THIS: THE JUVENILE JUSTICE ACT IS AN EXCELLENT PIECE OF FEDERAL LEGISLATION WHICH HAS ACCOMPLISHED MUCH IN A RELATIVELY SHORT PERIOD OF TIME, BUT ITS WORK IS NOT COMPLETED AND MUST BE CONTINUED.

APPROPRIATIONS

DURING TIGHT BUDGET TIMES, I REGRET BEGINNING OVERSIGHT TESTIMONY WITH TALK OF MONEY. UNFORTUNATELY, WITH REGARD TO THIS PROGRAM, IT IS THE MOST CRUCIAL ISSUE. FOR THE FIFTH STRAIGHT YEAR, THE ADMINISTRATION IS PROPOSING THE TOTAL ELIMINATION OF OJJDP. STRANGELY ENOUGH, THEIR RATIONALE IS NOT THAT THE PROGRAM HAS FAILED, BUT RATHER THAT IT HAS SUCCEEDED. TO QUOTE FROM THE FISCAL YEAR 1986 BUDGET:

NO NEW BUDGET AUTHORITY WILL BE REQUESTED IN 1986 SINCE THE MAJOR THRUSTS OF THE GRANT PROGRAM -- DEINSTITUTIONALIZATION OF STATUS OFFENDERS AND THE SEPARATION OF JUVENILE AND ADULT OFFENDERS -- HAVE BEEN ACHIEVED TO THE EXTENT PRACTICABLE.

THIS IS, BY THE WAY, THE SAME RATIONALE USED FOR EACH OF THE PAST FIVE YEARS. THERE ARE TWO PRIMARY FALLACIES IN THIS REASONING. FIRST, IT IGNORES LAST YEAR'S REPORT BY THE GENERAL ACCOUNTING OFFICE (GAO) WHICH, IN SUM, SAID THAT, SINCE FEDERAL OFFICIALS WERE NOT EVALUATING STATE REPORTS, "STATE MONITORING REPORTS CANNOT BE CONSIDERED AS SUFFICIENTLY VALID AND RELIABLE TO MEASURE PROGRESS..." MOREOVER, A MAJORITY OF RESPONDENTS IN A GAO STATE-BY-STATE SURVEY SAID THEIR CURRENT EFFORTS WOULD BE REDUCED IF THEY NO LONGER RECEIVED FEDERAL FUNDS.

SECONDLY, AND MORE IMPORTANT, THE ADMINISTRATION'S REASONING CONSISTENTLY IGNORES THE CONGRESSIONAL MANDATED OBJECTIVE OF REMOVING CHILDREN FROM ADULT JAILS WHICH HAS BEEN IN THE ACT SINCE 1980. THIS OBJECTIVE IS FAR FROM COMPLETE AND ITS EXCLUSION BY THE ADMINISTRATION IS INEXPLICABLE. ACCORDING TO THE JUSTICE DEPARTMENT'S OWN BULLETIN OF JUSTICE STATISTICS ISSUED IN NOVEMBER OF 1984, WHICH I WILL SUBMIT FOR INCLUSION IN THE RECORD, THE AVERAGE NUMBER OF CHILDREN IN ADULT JAILS ON A GIVEN DAY HAS GONE UP -- NOT DOWN -- SINCE 1978. THE NUMBER HAS NOT RISEN AS RAPIDLY AS THAT FOR ADULTS OVER THE SAME TIME PERIOD, TESTIFYING PERHAPS TO THE EFFECTIVENESS OF THE JUVENILE JUSTICE ACT. HOWEVER, THE JOB AHEAD IS LARGER, RATHER THAN SMALLER.

THE IMPORTANCE OF THIS MANDATE COULD NOT BE MORE GRAPHICALLY AND TRAGICALLY DESCRIBED THAN IN LAST SUNDAY'S WASHINGTON POST ARTICLE CONCERNING THE SEXUAL ASSAULT ON AN 11-YEAR OLD BOY WHILE HE WAS HELD IN AN ADULT HOLDING FACILITY IN THIS NATION'S CAPITAL. ON A STEP-BY-STEP BASIS, THE ARTICLE DETAILS THE PLIGHT OF CHILDREN IN ADULT JAILS THAT THE ACT IS INTENDED TO ADDRESS. THE CHILD IN QUESTION HAD A LAWYER. YET IT STILL TOOK 10 MONTHS FOR THIS INCIDENT TO COME TO PUBLIC ATTENTION. WITHOUT THE JUVENILE JUSTICE ACT, WHERE WILL OTHER CHILDREN WITHOUT LAWYERS BE? DOES THE ADMINISTRATION REALLY CONSIDER THEIR PLIGHT TO BE BEYOND "THE EXTENT PRACTICABLE?" DOES THE CONGRESS?

WHILE THE CHILD WELFARE LEAGUE OF AMERICA UNDERSTANDS THAT THIS COMMITTEE DOES NOT CONSIDER APPROPRIATIONS, WE DO APPRECIATE THE ROLE YOU WILL PLAY IN THIS YEAR'S RECONCILIATION PROCESS. THE CHILD WELFARE LEAGUE RECOMMENDS A FUNDING LEVEL OF \$125 MILLION FOR OJJDP. THIS IS CONSIDERABLY ABOVE CURRENT FUNDING BUT STILL BELOW THAT LEVEL NECESSARY TO MAINTAIN SERVICES AT THE 1980 LEVEL WHEN THE JAIL REMOVAL PROVISION WAS ADOPTED, AS THE CHART I WILL SUBMIT ILLUSTRATES.

PROPOSED TRANSFER OF FUNDS

THE ADMINISTRATOR OF THE OFFICE, MR. REGNERY, HAS RATHER REMARKABLY PROPOSED TRANSFERRING SOME \$13 MILLION OF WHAT HE DESCRIBES AS UNUSED FUNDS TO THE U.S. MARSHALL'S SERVICE (IT IS IRONIC, BY THE WAY, THAT THIS IS THE SAME MARSHALL'S SERVICE THAT WAS RESPONSIBLE FOR LOCKING UP THE 11-YEAR OLD IN THE JAIL CELL.) THE PROPOSAL IS REMARKABLE IN THAT, IF THE ACT WERE BEING FOLLOWED BY MR. REGNERY, NO FUNDS -- CERTAINLY NOT \$13 MILLION -- SHOULD BE IN AN UNUSED STATUS. THE CONGRESS ANTICIPATED FUNDS BEING TURNED BACK TO THE OFFICE AND GAVE THE ADMINISTRATOR SPECIFIC INSTRUCTIONS IN SECTIONS 223(d) AND 228(e) OF THE ACT. THESE SECTIONS HAVE BEEN IN THE LAW SINCE 1980. THE ADMINISTRATOR'S SEEMING DISREGARD OF THESE PROVISIONS IS AGAIN INEXPLICABLE. THE CHILD WELFARE LEAGUE RECOMMENDS THAT THE PROPOSED \$13 MILLION TRANSFER OF FUNDS FROM OJJDP TO THE U.S. MARSHALL'S SERVICE BE STRONGLY REJECTED AND THAT THESE FUNDS INSTEAD BE ALLOCATED AMONG STATES AND LOCAL GOVERNMENTS, AS SPECIFIED IN THE ACT, FOR THE PURPOSE OF REMOVING STATUS OFFENDERS FROM SECURE PLACEMENTS, SEPARATING CHILDREN FROM ADULTS CONVICTED OF CRIMINAL CHARGES, AND REMOVING CHILDREN FROM ADULT JAILS.

USE OF "STAFF SECURE" FACILITIES

PROPOSED REGULATIONS ISSUED ON MARCH 5, 1983, BY OJJDP CONTAIN RATHER CONFUSING LANGUAGE PERTAINING TO A NEW TERM OF ART KNOWN AS "STAFF SECURE". THIS TERM APPEARS NOWHERE IN THE ACT. THE WORDING OF THE REGULATIONS GIVE THE DISTINCT IMPRESSION THAT CONGRESS MADE CLARIFICATION WITH REGARD TO THIS TERM IN THE 1984 AMENDMENTS. QUITE TO THE CONTRARY, HOUSE AND SENATE NEGOTIATORS MADE NO REFERENCE AT ALL TO "STAFF SECURE" FACILITIES IN THE AMENDMENTS AND SUGGESTED INSTEAD THAT THE GAO BE REQUESTED TO UNDERTAKE A STUDY OF SUCH FACILITIES BEFORE ANY FURTHER DISCUSSION OCCURRED. ALLOWING STATUS OFFENDERS TO BE HELD FOR ANY LENGTH OF TIME IN A "STAFF SECURE" FACILITY COULD HAVE VERY NEGATIVE IMPLICATIONS FOR THE CHILDREN INVOLVED, UNLESS WE KNOW SPECIFICALLY WHAT WE ARE TALKING ABOUT. THE SENATE, AS I UNDERSTAND, HAS REQUESTED THE STUDY AND THE GAO IS NOW UNDERWAY. THE CHILD WELFARE LEAGUE RECOMMENDS THAT THE SUBCOMMITTEE INSTRUCT THE ADMINISTRATOR OF OJJDP TO STRIKE REFERENCES TO THE USE OF "STAFF SECURE" FACILITIES FROM THE REGULATIONS UNTIL THE GENERAL ACCOUNTING OFFICE COMPLETES ITS STUDY AND HEARINGS ON THE ISSUE CAN BE HELD BY THE RESPECTIVE OVERSIGHT COMMITTEES OF THE HOUSE AND SENATE.

FOSTER CARE

TO END ON A POSITIVE NOTE, THE CHILD WELFARE LEAGUE COMMENDS THE ATTENTION THE OFFICE HAS PLACED ON FOSTER CARE AND PERMANENCY PLANNING. THE NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES IS CURRENTLY UNDERTAKING TWO PROJECTS IN THE AREA. WE WOULD CAUTION, HOWEVER, THAT FOSTER CARE, IN AND OF ITSELF DOES NOT CAUSE DELINQUENCY. IN FACT, MANY CHILDREN IN NEED OF SUPERVISION WHO WOULD HAVE BEEN WAREHOUSED IN CORRECTIONAL INSTITUTIONS TEN YEARS AGO NOW BENEFIT FROM FOSTER CARE SERVICES WHICH PROVIDE ALTERNATIVE CARE IN A MORE FAMILY-LIKE SETTING UNTIL PERMANENT PLACEMENTS CAN BE ARRANGED. FOR SOME YOUNGSTERS, PERMANENT ADOPTIVE HOMES MAY BE IMPOSSIBLE. FOR THESE CHILDREN, FOSTER CARE MAY SERVE AS THE ONLY "BRIDGE OVER TROUBLED WATER" AVAILABLE. A CONTINUUM OF SERVICES MUST BE MAINTAINED AND MOST CERTAINLY IMPROVED.

IN CONCLUSION, THE CHILD WELFARE LEAGUE OF AMERICA STRONGLY SUPPORTS THE JUVENILE JUSTICE ACT AND URGES CONTINUED FUNDING FOR ITS PROGRAMS. HOWEVER, WE ALSO RECOGNIZE THAT THE LETTER OF THE LAW ALONE IS NO MORE EFFECTIVE THAN ITS IMPLEMENTATION BY THE FEDERAL AGENCY DEEMED RESPONSIBLE BY CONGRESS. WE COMMEND YOUR EFFORTS TO OVERSEE THIS IMPLEMENTATION AND LOOK FORWARD TO BEING AVAILABLE TO ASSIST YOU ON ANY OCCASION.

SHERIFF
EAST BATON ROUGE PARISH
POST OFFICE BOX 3277
BATON ROUGE, LOUISIANA 70821

ELMER B. LITCHFIELD
SHERIFF AND TAX COLLECTOR

April 24, 1985

TELEPHONE
389 5000
AREA CODE 504

Mr. Chairman and Members of the Senate Subcommittee
on Juvenile Justice:

The hearing you are holding today is of tantamount importance to the future of the Juvenile Justice and Delinquency Prevention Act. Last October the Congress reauthorized the Act for four more years giving the states much needed Federal leadership, direction and resources in the area of juvenile justice.

Prior to being elected the Sheriff of East Baton Rouge Parish, Louisiana, I was the Executive Director of the Louisiana Commission on Law Enforcement. This is the state agency, under the Office of the Governor, responsible for the administration of the JJDP Act in Louisiana.

The juvenile justice system in our state, like many others, was given impetus for progress and change with the passage of the JJDP Act of 1974. Louisiana has participated in the Act since 1975. The JJDP Act is an extremely effective piece of legislation which has led to progress toward a more humane and more rational approach to juvenile justice. It has provided a focus for local, state and national commitments to juvenile justice issues. It has provided a planning capability within state governments on juvenile justice issues and has encouraged a dialogue among factions which have all too often immobilized the system through lack of communication. It has encouraged policy changes at both state and local levels regarding deinstitutionalization of status and non-offenders and separation of juveniles from adults in secure facilities and has encouraged the development of community-based prevention, diversion and treatment programs. The JJDP Act has exerted great influence on systems planning, on developing a range of services for juveniles resulting in the prevention of entry into the juvenile justice

system, on the ability of communities to offer alternatives outside the juvenile justice framework, on expanding the expertise and resources of communities to deal with their own problems of juvenile delinquency. Use of "the least restrictive alternative" has been encouraged in an effort to maintain juveniles within their own families and/or communities whenever possible. The problem of the serious/violent juvenile offender has been recognized, and programs which deal with the needs of both the offender and the community continue to be developed.

The Act has clearly served as an incentive to states to improve their juvenile justice systems. While Juvenile Justice and Delinquency Prevention funds have always been but a fraction of the total system costs, they have, nonetheless, served as a catalyst to increase both the efforts and resources devoted to improving services to juveniles within the states.

The Formula Grant Program (Part B, Subpart I of Title II) is the main reason the Juvenile Justice and Delinquency Prevention Act has been so successful. Under this Program, more than half of the money appropriated for the Act is returned to the states to carry out the mandates of the Act. Citizens of each state determine the needs and priorities of their states and allocate the money accordingly. Consequently, the money awarded under the JJDP Act is used in the most effective manner for each state. The Formula Grant Program encourages cooperation and coordination among all those involved in juvenile justice. Community-based organizations work with state departments, which, in turn, work with each other to ensure the needs of juveniles are being met. Foundations, businesses, United Ways, etc., are becoming more involved in supporting services to juveniles.

States have used Formula Grant money to develop various programs, such as statewide networks of emergency shelter and group homes, crisis-intervention services and a variety of prevention and diversion programs. Many of these programs have proved so successful that they have continued with state and local funds. Standards have been developed, juvenile codes have been revised and legislation has been implemented in response to the JJDP Act.

Without the impetus of the Act and the money available under the Formula Grant Program, many of these programs and improvements would not exist.

Therefore, it disturbs me a great deal to learn that the Department of Justice has requested Congress to transfer \$13,026,000 in unobligated JJDP funds to the U. S. Attorneys and Marshals. This money includes reverted Formula Grant and Special Emphasis Funds and non-participating state funds, which were to be allocated to those states in compliance with Section 223(a)(12)(13) of the JJDP Act. According to Section 223(d), Section 228(e), these reverted funds are to be made available to eligible states on an equitable basis. I would urge you, and the rest of the Congress, to direct all of the \$13 million into the state Formula Grant Program. I would also urge that Congress appropriate \$70 million for the continuation of the Act's activities for FY 1986.

In our State of Louisiana, JJDP funds under the direction of the State Advisory Group have made some of the following accomplishments:

- *Sponsored and participated in the development of Louisiana's first Code of Juvenile Procedure.
- *Founder of annual statewide "Governor's Conference on Juvenile Justice."
- *Sponsored the first statewide publication in the area of youth care and development, the LYCIC Magazine.
- *Established a "Technical Assistance Resource Pool," utilizing in-state talent to exchange ideas, policies, programs and procedures.
- *Participated in the development of Louisiana's first licensing standards for juvenile detention facilities and provided funding for implementation.

*Established juvenile delinquency prevention program guidelines in concert with the Division of Youth Services.

*Supported progressive juvenile justice legislation at both the state and national level.

*Established qualifications with the assistance of the Louisiana Sheriff's Association for juvenile officers and law enforcement juvenile counselors who are federally funded.

In addition to this, numerous programs, facilities, and services such as truancy reduction, in-school supervision, shelter facilities, group homes, diversion programs, crisis intervention, substance abuse, parent effectiveness training, family counseling training for law enforcement, probation, community-based facilities and correctional personnel have been funded and many are continuing with state, local and/or private funds.

Much progress has been made, but much remains to be done. Yes, there are many needs within the juvenile justice system, not the least of which are: reduction of services to juveniles and their families due to state budgetary constraints; overcrowding of juvenile correctional facilities; juveniles in adult jails and lock-ups; insufficient community-based alternatives to incarceration; insufficient local primary prevention programs and "back seat" for funding for statewide prevention efforts; insufficient services for the mentally retarded and mentally ill juvenile offender.

In spite of these problems and difficulties, states continue to develop creative approaches to serving juveniles and to fund, with JJDP money, alone or with state, local and private services, a variety of successful programs.

Too often committees such as yours hear only of the doom and gloom of the issues under consideration. I am pleased to report to you that the JJDP Act, federal legislation with bi-partisan support, truly is working as it was intended, no, better than was ever intended. Let us work together to keep it that way.

Senator SPECTER. Mr. Regnery, there has been a proposal to reprogram \$13 million in fiscal year 1984 unobligated funds previously appropriated for special emphasis grants and a reprogramming request is pending for that to be used by the U.S. Marshals Service instead.

Under the provisions of the act, there is a requirement that unobligated funds be allocated to the States under the Formula Grant Program. Will the act be observed and those \$13 million be allocated to the States under that Formula Grant Program instead of an unauthorized reallocation to the Marshals Service?

Mr. REGNERY. Well, that depends to some extent on what Congress does. As I understand the process, what is involved is the Department has asked that Congress authorize the transfer of funds from our account to that of the Marshals Service, those unobligated funds. And that is under the Impoundment Act, I believe, that that is authorized. And it is my understanding that both Houses of Congress would have to agree to do that for that money to be transferred. In the meantime, under the Impoundment Act, I believe that that money is not available for expenditure by us.

Now, the question of unobligated funds, there is about \$4 million of that \$13 million which is the portion of unobligated funds under the statute which go back to the States, and that money—if it is available, would be obligated to the States. If it is not available, it would not be. In other words, the entire \$13 million does not go to the States, only part of that does under the statute.

Senator SPECTER. No. I think that is not correct.

Under the act, all \$13 million is supposed to go to the States under the Formula Grant Program.

Mr. REGNERY. Only money that is reobligated to us, I believe, by the States or by grants that have not used it. Some of that \$13 million was 1984 money which had been designated for programs which were in the process of being funded, but which had not yet been made.

Senator SPECTER. Mr. Regnery, I disagree with you about the law on that, but let us not pursue it here. But, instead, my chief counsel will discuss this with you in detail with the statutes in front—

Mr. REGNERY. My counsel is well aware of that area also.

Senator SPECTER. I would certainly urge that this funding be reprogrammed as the act calls for it, and I believe that an objective analysis will show that it ought to be reallocated under the Formula Grant Program.

Let me address, during the balance of my 5 minutes, a couple of the grants which have come to our attention which I would like to ask you about.

There has been a fair amount of interest in the so-called Reisman grant and the allocation of funds so far, and we will have an opportunity to get into that more deeply when we have Dr. Reisman testify herself.

According to an Associated Press release, Dr. Myra Sadker, the dean of American University's Education Department, who has overall responsibility for the project, was quoted by the Associated Press as saying, "I had the opportunity for firsthand observation

and was very dismayed about the quality of office management and the nature of the research that was going on."

Have you reviewed what Dr. Reisman is doing and could you explain for us about the nature of the research that is being undertaken under that grant?

Mr. REGNERY. Yes. We undertook a careful review of that research starting last June. We worked through carefully with American University officials what was going on in that grant, and basically what happened between last June and this past March was a redesign of the project.

Senator SPECTER. Are you aware of Dr. Sadker's statement about her dismay concerning the quality of office management and the nature of the research?

Mr. REGNERY. Yes, I did see that statement.

Senator SPECTER. Have you discussed that with Dr. Sadker?

Mr. REGNERY. I have not discussed that with Dr. Sadker. I believe members of my staff have.

Senator SPECTER. Why have you not discussed that?

Mr. REGNERY. I did not feel it was necessary for me to do it. My staff had been heavily involved in the issues with David Sansbury who, I believe, is here to testify, who is the acting dean of the School of Education of American University, and with others.

Senator SPECTER. Did you discuss the matter with your staff after they discussed it with Dr. Sadker?

Mr. REGNERY. Yes.

Senator SPECTER. What did your staff say?

Mr. REGNERY. Basically what they told me is they were convinced that what the project was now going to do was something highly worthwhile, that Dr. Sansbury was quoted in the same story, I believe, as saying it was a highly professional undertaking that he thought was scholarly which was needed. We did submit to three professionals in other universities who reviewed the redesign, a professor at the University of Rochester, one at the University of Pennsylvania, and one at Syracuse University, who worked through it carefully, made a number of recommendations to us.

Based on what they said, we felt that what we had outlined would be done was highly worthwhile.

Senator SPECTER. You thought Dr. Sadker was incorrect?

Mr. REGNERY. As far as I know, she must be. At least there is a difference of opinion. Whether she is wrong, I guess, is another question.

Senator SPECTER. Senator Metzenbaum.

Senator METZENBAUM. Mr. Regnery, was the award of Dr. Reisman's magazine study done by competitive process?

Mr. REGNERY. No, that was not, Senator. That was done in 1983 or early 1984, and it was not done by competitive process.

Senator METZENBAUM. Well, when you appeared previously, did you not indicate that the award was going to be scaled down to \$300,000?

Mr. REGNERY. No. I believe I said we would try to scale it down. We were in the process of renegotiating it. At that time, I think the money that was being spent was at the rate of \$300,000, meaning that if you simply took the amount of money she had spent so

far to date and then multiplied the number of the months in the project, that is the amount they would have spent at that time.

Senator METZENBAUM. And you did not feel that the congressional mandate for competitive bidding was applicable to this award even though the award had not been finalized at the time the congressional enactment passed?

Mr. REGNERY. The award was finalized when the Congress passed that—

Senator METZENBAUM. A contract had been entered into?

Mr. REGNERY. Yes.

Senator METZENBAUM. Let me then ask you if it has been finalized, how do you account for the fact that according to published reports \$153,083 of the total of \$194,446, which is more than 75 percent, was used to "revise design of the study and respond to numerous requests from the press"?

If it were finalized, then why is it being revised? I mean then it seems to be a new kind of study, something different. If it is something different, then it is a new contract. And if my understanding is correct, the figure is now \$734,000 as compared to \$798,000.

Mr. REGNERY. The figure you cite is correct. It was what we call a cooperative agreement when we first entered into it which was a final contract and which allows us to scale up or scale down. I guess we probably only scale down because the 798,000 figure was a ceiling which would be the maximum that American University could spend. The contract was final and it simply had a clause that allowed for renegotiation. In research contracts, it is common practice that the designs be revised during the course of the projects. I think that is almost universal.

Senator METZENBAUM. Is it common practice, Mr. Regnery, to spend about 20 percent of the total amount of the grant on revising the design of the grant? Would that not normally be something that the proponent, the contractee, would be doing on his or her own?

Mr. REGNERY. No.

Senator METZENBAUM. Is the Government in this case paying for the revision of the whole thrust and design of the award?

Mr. REGNERY. It is my understanding that is common practice, yes.

Senator METZENBAUM. It is common practice?

Mr. REGNERY. Yes.

Senator METZENBAUM. Well, let me ask you another question.

Did you promise last year to provide the committee with peer reviews of Dr. Reisman's original proposal from Dr. Burgess and others?

Mr. REGNERY. I do not remember exactly if I did or not, but I may have.

Senator METZENBAUM. Did you provide them—if I told you to the best of my recollection that you did, would you explain to us why we never received those peer reviews?

Mr. REGNERY. If you did not receive them, I have no idea why you did not. I would be happy to look into it.

Senator METZENBAUM. I am quoting from the hearing record:

"Senator Specter. Mr. Regnery, would you provide me with whatever writings you had from Dr. Burgess?"

"Mr. Regnery. Yes."

And the committee report, in brackets, "Never received for the record."

Mr. REGNERY. I will be happy to look at that, Senator. It is common practice that we do submit things for the record. The Congressional Affairs Office gathers that stuff together and sends it up. And if something was not submitted, I would be happy to find out why.

Senator METZENBAUM. This is the second time within about 10 minutes that you indicated it is not your fault; it is staff's fault. They were supposed to do it.

Mr. REGNERY. No. I am saying I will take responsibility. I will be glad to take responsibility for it. I guess if somebody does not call it to my attention, that it was not received, it was an oversight or what, I do not know, but I will be happy to look into it and tell you why.

Senator METZENBAUM. Would you explain to me now something about this study?

Now, as I understand the study, it is going to study the reaction of children when they read these magazines. It talks about with special focus on child imagery.

And my question is, is it the suggestion of this study that child molestation, child prostitution and incest with children and kidnapping of children and generally juvenile delinquency and child pornography somehow comes about by reason of the children reading these magazines or looking at these magazines? Is that the thrust of this study?

Mr. REGNERY. Well, I guess that is probably one of the things that they are looking at.

I would call your attention, Senator, to a hearing that was held in this committee last October on the question of pornography, at which Senator Specter was talking about the increase in child molestation in the last quarter of a century. I am reading:

If that is so, if there is an increase in molestation, there may be some linkage with the upsurge in pornographic materials, or it may be that child molestation has been with us to the extent it has now, and there is no causal connection, but those are subject matters which are of great importance and those are subject matters which this Committee is going to be considering.

I guess those are the issues that the study is looking at. Over the last quarter of a century, going back into the late fifties and the early sixties is the time in which pornography became popularized and the time in which the magazines which are being reviewed which are, I guess, by any estimate, the three most popular sort of mainstream, available to anyone, pornographic magazines, during the time period in which they developed and really popularized pornography. There is a great deal of speculation in the academic community that reviewing the area of child molestation and the sexuality involved with the molestation of children and so on as to whether or not there is a causal connection. In fact, one of the members of the Missing Children's Advisory Board is a doctor who is the primary doctor in the Martin case in Los Angeles, and we have talked at length about that, whether or not there is a connection between the sort of molestation that went on in that case, apparently, and the availability of pornography. It is exactly that

issue we are looking at. It is the question not so much whether or not those things affect children, but whether the portrayal of children in magazines, such as the ones that are being reviewed has an effect on the pedophiles and the adults that molest the children. If, in fact, the study finds out that there is no connection, that is fine. If it finds out that there is, I think it will make the community that deals with molested children better able to deal with it, better able to inform schools, parents and children themselves what they are up against in terms of pornography and how they can best protect themselves against it.

Senator METZENBAUM. Mr. Regnery, I am afraid you missed the thrust of my question.

The thrust of my question is, according to the way I read the description of the study, it will have special focus on child imagery. I understand that to mean the child's imagery, what the child sees when he or she reads the magazines.

Mr. REGNERY. I believe what they are talking about is the portrayal of children in those magazines.

Senator METZENBAUM. You are suggesting that the study has to do with studying adults who read those magazines, look at those magazines and the portrayal of children in those magazines?

Mr. REGNERY. No, they are not studying the adults that read the magazines. They are looking at the content of the magazines to determine whether or not there is an increase in the portrayal of children in those magazines and ultimately what that may lead to is research on whether that portrayal of children has an impact on those who molest children.

Senator METZENBAUM. You are not suggesting in any way that children's reading of those magazines has any relationship whatsoever to child molestation or child pornography or child exhibitionism or anything, incest? You are not suggesting that?

Mr. REGNERY. I do not believe that is part of the research. You may want to ask Dr. Reisman. She would know better than I would, but I believe the thrust is more what is in the magazines as far as the portrayal of children and also the portrayal of violence is concerned.

Senator METZENBAUM. Mr. Chairman, I do have additional questions but with the understanding they would go back and forth—

Senator SPECTER. We will rotate for 5-minute rounds.

Senator METZENBAUM. I understand.

Senator SPECTER. Mr. Regnery, the concern which the subcommittee has and which we explored back on October 1, 1984, was the nature of this study and how it was going to proceed. You have here a very large grant. It is \$734,000, and there is information that \$194,000 has already been spent on questions and criticisms from Congress and the press and numerous people around the country. There is also a lot of concern regarding what methodology will be applied to see if there is a well-qualified approach to be made here.

When we questioned you back on October 1, there were many items which you were supposed to supply to us: the Pepperdine study and some peer records. To this date, nothing has been received. The concern that the subcommittee has is what has the money been spent for? Do you think it is an appropriate expenditure of money on the grant for Dr. Reisman to respond to questions

from numerous people around the country? Is that the way we spend money on a research grant funded by OJJDP?

Mr. REGNERY. Well, in a case like this where there has been as much public attention on this grant as there has been, I believe that they felt that they should respond to the public and, of course, to Congress for their concerns. I do not know exactly how that \$194,000 breaks down, and the people are here who could tell you that.

Senator SPECTER. Have you made an effort to find out?

Mr. REGNERY. Yes.

Senator SPECTER. What did you find?

Mr. REGNERY. I am sorry. I would have to refer that to my staff. I believe a good deal of that was the initial work on the grant, the gathering together of the materials and the staff and so on. But rather than try to speculate yourself, my staff person who has done all the negotiation on that is here and I would really urge you to ask her those questions if that would be all right.

Senator SPECTER. Step forward.

Would you identify yourself for the record, please?

STATEMENT OF PAMELA SWAIN, DIRECTOR OF RESEARCH AND PROGRAM DEVELOPMENT IN THE OFFICE OF JUVENILE JUSTICE

Ms. SWAIN. Pamela Swain, Director of Research and Program Development in the Office of Juvenile Justice.

Senator SPECTER. Ms. Swain, my question to you is how much money of the \$734,000 allocated for this grant has actually been spent on studying the question of the causal connection between pornography and misuse or abuse of children?

Ms. SWAIN. The \$194,000 figure represents the money to revise the research design, development of the instrumentation. That includes the manuals, the coding instruments, the technical requirements of the design, the collection of materials for analysis and the hiring and training of coders.

Senator SPECTER. My question was how much money has been spent on a study of the causal connection between pornography and abuse of children? You have just told me where \$194,000 was spent, which was all preliminary without getting to the research project.

Ms. SWAIN. No, these are the beginning paths of the research.

Senator SPECTER. What in the itemization you just recited relates to specific study on the issue of the causal connection between pornography and the abuse of children?

Ms. SWAIN. All of those tasks which I mentioned are the first steps in implementing, developing and implementing the research design for the project.

Senator SPECTER. Well, give me one specific from among the items you just recited.

Ms. SWAIN. I do not have—I cannot break out the individual costs of each one of those tasks. Perhaps American University could do that.

Senator SPECTER. Well, what we are trying to determine now is what kind of oversight there is by OJJDP on this study, what you know about the study. Do you know what methodology Dr. Reisman is using?

Ms. SWAIN. Yes, I do.

Senator SPECTER. What methodology is she using?

Ms. SWAIN. She is using content analysis.

Senator SPECTER. What does that mean?

Ms. SWAIN. It is a scientific, systematic study of the content, the messages in any type of media, in this case pornography.

Senator SPECTER. Give me an illustration. What kind of message, going to whom, has Dr. Reisman studied?

Ms. SWAIN. She is examining the portrayal of children, the pictures of children and of crime, particularly violent crime in those magazines and documenting changes in the portrayal of children and crime over time.

Senator SPECTER. A portrayal of a child being the victim of a crime in the magazine?

Ms. SWAIN. That is one type, yes.

Senator SPECTER. Can you give me a specific illustration of what kind of crime?

Ms. SWAIN. For example, a picture of a child being molested in some way by an adult.

Senator SPECTER. In Playboy or Hustler or Penthouse?

Ms. SWAIN. Yes.

Senator SPECTER. Have you ever seen such a picture?

Ms. SWAIN. Yes.

Senator SPECTER. Tell me about it. What picture did you see?

Ms. SWAIN. It was a very ugly picture.

Senator SPECTER. I have read those magazines myself. We have had them at these hearings, and I have never seen a picture of a child being the victim of a crime actually appearing in the magazine. Have you?

Ms. SWAIN. Yes, I have seen——

Senator SPECTER. What crime did you see committed on a child in the magazine?

Ms. SWAIN. I do not remember the specifics of it, but it was clearly an adult that was attacking a child.

Senator SPECTER. An adult attacking a child sexually in the magazine?

Ms. SWAIN. Yes. At least it suggested that.

Senator SPECTER. Suggested that or did it?

Ms. SWAIN. There have been several different examples of that type of portrayal that have been submitted to me along with the research design.

Senator SPECTER. Well, would you see if you can find some examples of that, perhaps while the hearing is in process. I would like to see what you mean. There are some cartoons. There is a cartoon in one of the magazines of a child on a slippery slide, which Dr. Reisman produced when we had the hearing in October; and somebody depicted as being at the end of the slippery slide to await the slide of the child. There are some magazines, hard core pornography which show torture of women. This subcommittee has reviewed a great deal of this kind of literature. I have never seen an actual picture of a crime being committed against a child. That is why I press you on it and would like to see it.

Ms. SWAIN. I do not have any examples with me. Dr. Reisman may.

Senator SPECTER. Well, if she does, fine. I would like for you—someone is handing you a document now?

Ms. SWAIN. Yes. I do——

Senator SPECTER. Why don't you hand that to me while we turn to Senator McConnell. My time has expired and we will let Senator McConnell have a round of questioning at this time.

Senator McCONNELL. Thank you, Mr. Chairman.

Senator SPECTER. Excuse me, Senator McConnell. If Dr. Reisman has other pictures of crimes being committed against juveniles, if you will hand them to us, we will take a look at them.

Senator McCONNELL. I was going to shift off to another subject. If you want to stay on this particular subject, please feel free to go ahead, either you or Senator Metzenbaum. I was going to go back to Mr. Regnery.

Senator SPECTER. Please proceed with your questioning. Otherwise, you may not get any questioning on this subject.

Senator McCONNELL. Mr. Regnery, when the Attorney General came here on March 26, he expressed his view that insofar as juvenile programs are concerned, "This is really at the State and more particularly the local level."

What is your position on the proper role of the Federal Government in this area?

Mr. REGNERY. Well, first of all, I must say that I support the President in everything that he asked the Congress for, including the fact that the office be zeroed out. I do think that in terms of juvenile crime, I guess, first of all——

Senator McCONNELL. Was that your recommendation?

Mr. REGNERY. The recommendation was that the office receive—that was the official—the recommendation of the administration was that the office receive no funds, yes.

Senator McCONNELL. I am sorry I interrupted you. Go ahead.

Mr. REGNERY. Any discussion, I think, of this matter has to be taken in the context of the budget issues as, I guess, does any other program. But let us for hypothetical purposes put the budget issue aside. Let us assume there is not a budget issue.

If, in fact, the Federal Government is going to be involved in fighting crime, I think the Federal Government does have a place to include in that fight the issue of juvenile crime because of the fact that, first of all, about a third of all arrests are of juveniles and because particularly with chronic juvenile offenders who are the ones who commit most juvenile crime, our research indicates that most of those people had gone on to spend a life in crime and probably in prison when they grow up. Therefore, I do not think that there is any question that if you are going to be effective in your fight against delinquency and crime, crime generally, that you need to include juvenile crime and delinquency in that fight.

Let me state it that way to begin with.

Senator McCONNELL. So it is not a question of philosophy but a question of money?

Mr. REGNERY. I think that is probably right. There is probably a federalist question in there also, but in many questions we supersede the federalist question anyway.

Senator McCONNELL. You were not persuaded by the federalism question?

Mr. REGNERY. I am very persuaded by federalism; but if you want to have an academic debate on federalism, all right; but if

you want to ask about what the Federal Government does in fact, it would be another question.

Senator McCONNELL. So you are not persuaded by the federalism argument if the budget were not a factor?

Mr. REGNERY. It is the money and it is the question if the Federal Government is going to assist the States in fighting crime, which I guess, technically speaking, somebody could say is probably an antifederalist position; if you were to read Burke and Jefferson and people like that, that would probably be contrary to their belief in federalism. If you take that position, then the fight against juvenile crime should certainly be included.

Senator McCONNELL. But the funding is back in now in terms of the recommendation of the administration?

Mr. REGNERY. I believe that the recommendation before the Appropriations Committee is for zero. I do not know that it has been changed.

Senator McCONNELL. The staff has just informed me it is their understanding that the funding for the Office of Juvenile Justice and Delinquency Prevention was back in, in terms of the administration.

Mr. REGNERY. I am not aware of that if it is.

Senator McCONNELL. Did I hear you say a minute ago that the Attorney General's Board on Missing Children was going to Louisville?

Mr. REGNERY. Yes.

Senator McCONNELL. When is that?

Mr. REGNERY. The 17th and 18th of May, I believe.

Senator McCONNELL. Is the Attorney General going?

Mr. REGNERY. I do not believe so, no.

Senator McCONNELL. No further questions right now, Mr. Chairman.

Senator SPECTER. Senator Metzenbaum, I wonder if we might not proceed with questions for Mr. Regnery on matters generally and come back to Dr. Reisman's grant? Perhaps we can have Dr. Reisman present when these questions are taken up. I know you have a great many more questions; but it is your turn and we will proceed as you choose.

Senator METZENBAUM. Let me just take a couple. I will not be long.

Mr. Regnery, be good enough to explain to me the aspect of the study having to do with sexual depiction of children with fairy tale characters such as Santa Claus, Dorothy and the Wizard of Oz, Snow White, just how does that fit into this picture? And assuming that there were such a depiction, is that in some way affecting the mind of the adult or the child who sees that?

Mr. REGNERY. I assume it would affect the mind of the adult, Senator, but you might get a better answer from Dr. Reisman than from me on that.

Senator METZENBAUM. Well, you know, it is your department that has approved this; and I really have a lot of problems in understanding.

I could understand how some of these things—I guess what I am saying is, I have difficulty in understanding how adults, I guess the phrase is, get turned on by seeing some child with Santa Claus or

Dorothy and the Wizard of Oz, or Snow White; or I have difficulty in understanding how that affects the mind of an adult when there is the use of paraphernalia, and I could understand paraphernalia in the sort of ugly sense of the word. This is paraphernalia including teddy bears, hair bows and bobby socks and dolls in cartoons as well as in pictures, depicting adult women as pseudochildren. I have been studying that language, and I am trying to say just what are we getting out of this? And I assumed that in some way it did have some effect upon an adult, which I would question; but assuming that it did, what do you do about it? What do you do about it? What do you get for your \$734,000? Assuming you could prove a causal relationship, which I question; but if you did, what would you then do about it?

Mr. REGNERY. First of all, Senator, as far as your having trouble understanding those things, I had trouble understanding that when I first encountered this stuff also; and I guess that as I have seen what some adults do to children and what some of the apparent causal relationships are, particularly those that have been pointed out to me by people at the Behavioral Science unit of the FBI, who studied it very carefully, I guess I have been amazed at what some of those things were.

In terms of your question, what we get out of it, it is my understanding and belief that what ultimately the results of this research will provide is, first of all, a basis to look at the correlation. This research is not really examining that correlation. That is not what is called original research in the field. This is content analysis, which means looking at what is already there rather than producing something new.

Senator METZENBAUM. Explain that to me. Content analysis, looking at what is there rather than something new. Tell me what it is, because I am not quite clear about that.

Mr. REGNERY. Let me tell you what the original research would be actually studying, which is the impact of whatever you are looking at has on people. That is the sort of research where you apparently provide this information to people or you somehow measure what that correlation is.

Senator METZENBAUM. We are not going to do that?

Mr. REGNERY. We are not doing it.

Senator METZENBAUM. What are we doing?

Mr. REGNERY. We are looking at the extent to which the matters that you have talked about are portrayed in popular pornography; that is, in fact has there been an increase over the last 10, 15, or 20 years in the depiction of violence against children, in the depiction of exploitation of children.

Senator METZENBAUM. We are just going to see if it is there? We are going to see if that type of thing is depicted?

Mr. REGNERY. And to what extent.

Senator METZENBAUM. For that we need seven full-time employees and 12 part-time data analysts to run through 600 magazines?

Mr. REGNERY. Yes.

Senator METZENBAUM. My god, I agree with that lady back there who originally concluded that this whole thing could be done in-house for less than \$100,000 and, frankly, if you want somebody just to do that, just to see if it is in the magazine, I am not so sure

but what you could get it done for one-twentieth of that amount of money, just leafing through the pages to see what is there. That really is not that big a job.

So we are not doing the original analysis; we are not doing basic research; and we are not doing anything about what should be done if we find it. We are just doing an analysis to see what those 600 magazines contain; and if that is it, before I came to this hearing I was pretty convinced this was a waste of Government funding; I am now positive it is a waste of Government funding and a totally excessive payment of \$734,000 which, if you assume that it has some value, which I question, but assuming that it had some value, I would certainly question the amount being spent; and I think it proves the case conclusively that if that is all you wanted to know, what is in those magazines, you could have had that done on the basis of a competitive bid for maybe one-twentieth of that amount of money.

I think it is with all of the effort to balance the budget and to eliminate research on Alzheimer's disease and to cut back on juvenile funding and to cut back on so many other programs that have to do with children, then to spend this kind of money to see what is in the magazines?

I think, Mr. Regnery, that it is just sad. It is just sad. I was with some people in wheelchairs the other day and they were saying, why does the Government throw money away when we need it so badly for research on how to make our spines workable again so we can walk, and I said, sometimes I cannot answer that and sometimes it frustrates me. This is one of those mornings.

Mr. REGNERY. Let me again point out, Senator, in my conversations with those people, particularly in law enforcement who deal with this issue, the issue of the exploitation of children, they seem to believe what that research will show will be very valuable to them.

Senator METZENBAUM. I bet you not one of them understands what—

Senator SPECTER. Your time is up.

Senator METZENBAUM. Let me just finish the sentence.

I bet not one of them realized that all you are doing is paying \$734,000 to have somebody look through 600 magazines. I bet not one of them realized that. I did not until just this moment.

Thank you, Mr. Chairman.

Senator SPECTER. Thank you, Senator Metzenbaum.

Mr. Regnery, I am prepared to hear Dr. Reisman before coming to firm conclusions myself, but there are some issues of priorities here.

Last week this subcommittee held a hearing on juvenile fire starters, on the issue of what is being done to deal with that very important problem and the total allocation for research was \$1 million only slightly more than is being devoted to this Reisman study.

Senator Metzenbaum does raise an important consideration about relative merits with so many kinds of applications pending.

How would you assess the relative importance of allocating a million dollars only to the fire starter research and three-quarters of a million dollars to the Reisman study?

Mr. REGNERY. Well, the fire starters and the arson question certainly are serious ones. They are ones we have looked at really over an extensive period of time in our office. In fact, you may be interested to know I had instructed my staff about 3 months ago to start developing a plan for an arson program and what that would be is more of a demonstration type action project dealing with fire starting and arson children rather than a research project.

Senator SPECTER. Mr. Regnery, I was incorrect. The \$1 million is being spent on teen suicide. There is no amount of money being spent on arson.

Perhaps you could inform me, is any money being spent on the problem of juvenile arson today?

Mr. REGNERY. I was just saying, as I guess you were talking to your staff member—

Senator SPECTER. You said you were starting to look at it.

Mr. REGNERY. I instructed my staff sometime ago to start developing a plan to put together an arson project. LEAA spent a great deal of money on arson back in the late 1970's, I guess, and the results of that are certainly still around. There are a lot of arson projects. In fact, we have had some since I have been in the office. We have had numerous meetings on arson and discussed it as one of the things that we need to do.

We have not yet started any project. We have not funded anything.

Senator SPECTER. So the answer is as of this moment OJJDP is not spending any money on the arson issue?

Mr. REGNERY. That is correct.

Senator SPECTER. It was the teen suicide matter which Senator Metzenbaum and I and Senator McConnell had hearings on last week. We had one on arson a couple of weeks ago.

Does not the problem of teen suicide weigh much more heavily in terms of a research priority than the Reisman Study?

Mr. REGNERY. Sure. It probably does. I am not sure whether we would be able to spend money on teen suicide under our statute since we are bound to do things that are directly involved with juvenile delinquency.

Senator SPECTER. Wait a minute. Is not teen suicide juvenile delinquency?

Mr. REGNERY. I am not sure it is or is not. That is a good question.

Senator SPECTER. What is the doubt? A juvenile tries to take his or her life. Do you have any doubt that is an act of delinquency?

Mr. REGNERY. I am not sure it is or is not. I do not believe it is, but I may be wrong.

Senator SPECTER. I would suggest to you that you are. Attempted suicide has been widely defined as a crime under the laws of the various States. Completed suicide cannot be because there is no one to prosecute, but some of the witnesses testified at common law the way suicide victims were treated it has traditionally been regarded as a high-level crime. An attempted suicide is a crime and conspiracy to induce suicide is a crime and subordination of suicide is a crime.

Mr. REGNERY. I am sure that—

Senator SPECTER. I would suggest to you that there are many precedents that suicide and related activities do constitute at least the act of juvenile delinquency, which would bring it under the jurisdiction of your office.

I am advised that, and I had known this, juveniles who attempt suicide are frequently placed in detention units.

Let me ask you, not to pursue the question at any great length, to take a look at the suicide issue.

Mr. REGNERY. OK.

Senator SPECTER. Because when we hear that only \$1 million is being spent on suicide by comparison to this kind of funding, I think it is something which ought to be explored.

Mr. Regnery, when we had the hearings back in 1984 there was substantial concern about a grant to George Nicholson to run the National School Safety Center, and there have been disquieting reports recently about what has happened there. Perhaps you could bring us up to date with any complaints which have been filed with your office and any action which your office has taken on that.

Mr. REGNERY. Yes.

When the budget that you talked about earlier was cut by \$13 million, that is, that money was frozen, among other things we went through and attempted, in order to compensate for that, to cut back on second-year grants, and part of that or whatever other grants were outstanding, a part of that was a cut of, I believe, some \$200,000 to the National School Safety Center, which triggered the layoff of several of their employees. When that happened, apparently there was a considerable amount of staff dissatisfaction among the other members who were not laid off because of the fact that those who were laid off were, in fact, laid off.

Senator SPECTER. Have a number of assistant deputies resigned?

Mr. REGNERY. Yes, I think there were two or three other people besides those who were laid off who have resigned in the last 2 or 3 weeks.

Senator SPECTER. Then three more staff members were fired by Mr. Nicholson?

Mr. REGNERY. No; I do not think that is correct.

Senator SPECTER. Has the university placed Mr. Nicholson on administrative leave and asked your office, OJJDP, to send in an investigator?

Mr. REGNERY. Yes.

We sent in the investigator, Senator.

Senator SPECTER. The university placed him on administrative leave?

Mr. REGNERY. Yes, they did. Let me explain that.

There were 30 employees. There were 3 that were laid off as a result of the budget cut, which brought it to 27 and 4 more have resigned, so there are presently 23. When all of that happened, there did appear to be some staff dissatisfaction, particularly among those that resigned. Pepperdine University at my request took an active interest in what was going on and what they did was to send a member of their business school to the safety center for a period of about 2 weeks, and he asked Mr. Nicholson not to come to work during that period of time so he could have access to all of the staff members that were out there without interference

from the management, simply so he could interview each of those people; and he put Mr. Nicholson, I guess you could call it, on administrative leave with pay. In fact, he was doing work at home. He has been making speeches and so on.

In any case, they interviewed all the staff. An independent evaluator went out there at my request to spend a considerable amount of time going through what they actually had done and what they were doing. He met several times with the officials from Pepperdine University. I spoke with the officials at Pepperdine University last night who felt that they had the matter fairly well resolved as far as the staff dissatisfaction went.

They thought they might make a few more staff changes, and I told them that if they wanted to do that on their recommendation I would support them on that, depending on what they were.

Senator SPECTER. How much money is involved in that grant, Mr. Regnery?

Mr. REGNERY. The first year was about \$2 million. I do not know exactly the figure, but it is within a couple hundred thousand.

Senator SPECTER. What has been accomplished?

Mr. REGNERY. They have met or helped establish school disciplinary networks in, I think, over 40 States. They have been in touch at one time or another with over 700 schools in assisting them in dealing with their problems of school discipline and school crime. They have developed a great many publications and things, handbooks and so on. Some of those have not yet been actually published.

Senator SPECTER. The money has been well spent, you think?

Mr. REGNERY. Yes, I think it has. We tried to keep very close track of it and we have got a grant monitor in our office; plus I have asked this other gentleman who is here in Washington to keep close tabs on it from an independent perspective and asked him to give me reports periodically on what is going on; and I have given him as much leeway as he could have going through what they are doing so that we do know, in fact, that the money is being well spent.

Senator SPECTER. You expect Mr. Nicholson to stay with the project?

Mr. REGNERY. I believe he will, although I am not sure if his role will remain the same. Pepperdine again has become very actively involved in the management. They have been involved all along, but I think more so in recent weeks, and certainly Mr. Nicholson will stay. Whether or not he has exactly the same role remains to be seen.

Senator SPECTER. The subcommittee would appreciate it if you would provide us with an updated report and keep us current on a monthly basis with what develops there.

Mr. REGNERY. OK.

[Requested material follows:]



U. S. DEPARTMENT OF JUSTICE
Office of Justice Assistance, Research, & Statistics

CATEGORICAL GRANT PROGRESS REPORT

FILE

This recordkeeping requirement falls under the authority of P.L. 96-511, Sec. 3507. The information provided will be used by grant monitors to track grant progress. No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing laws and regulations (OMB Circulars A-102 and A-110, Omnibus Crime Control and Safe Streets Act of 1968, as amended, Juvenile Justice and Delinquency Prevention Act of 1974, as amended, and the Justice System Improvement Act of 1979, as amended).

1. GRANTEE Pepperdine University		2. AGENCY GRANT NUMBER 84-JS-AX-0004	3. REPORT NO. 3
4. IMPLEMENTING SUBGRANTEE N/A		5. REPORTING PERIOD (Dates) FROM: 10/1/84 TO: 12/31/84	
6. SHORT TITLE OF PROJECT NSSC	7. GRANT AMOUNT \$3,948,993	8. TYPE OF REPORT ☒ REGULAR ☐ SPECIAL ☐ FINAL REPORT ☐ REQUEST	
9. NAME AND TITLE OF PROJECT DIRECTOR Dr. David Davenport Executive Vice President	10. SIGNATURE OF PROJECT DIRECTOR	11. DATE OF REPORT 1/23/85	
12. COMMENCE REPORT HERE (Continue on plain paper)			

Introduction

A significant portion of this quarter was spent evaluating the information collected from the field contacts, research and networking done the previous quarters, and then developing a plan of action for future program activity. Specifically, planning timelines were charted for conference participation and other field services; a response procedure was developed for field consultations and technical assistance proposals; operational management procedures were adopted to insure effective coordination of unit responsibilities and assignments; and monthly and quarterly reporting formats were developed to accurately track and assess Center activities and accomplishments.

An on-site OJJDP visit by Deputy Director Irv Slott, Grant Monitor Len Johnson and Consultant Tim Crowe provided for review of NSSC present and future operations.

Following is a brief summary of each unit's major activities for this quarter:

Law Enforcement

The primary thrust of this quarter has been to develop and begin implementation of strategies to accomplish three major objectives: 1) to promote awareness of and involvement in school safety by law enforcement, juvenile justice and other youth serving agencies and organizations; 2) to coordinate efforts with juvenile justice agencies and organizations to develop delinquency prevention and response strategies; and 3) to develop a national juvenile/school peace officers training.

To accomplish these objectives, the Law Enforcement staff has made contact with significant professional national agencies and organizations which deal with law enforcement, juvenile justice and delinquency prevention (e.g., American Probation and Parole Association, National Council of Juvenile and Family Court Judges, National Sheriffs Association, International Association of Chiefs of Police, National Alliance for Safe Schools, National Association of School Security Directors, International Juvenile Officers Association, etc.) to establish liaison with NSSC, identify mutual goals and objectives, and create strategies and action plans by which we can work together.

Specifically, staff are developing training modules and materials, a systematic plan of involvement in the national conferences and workshops of these organizations, as well as coordinating efforts for cooperative program development in the areas of school safety, school peace officer training, and delinquency prevention and response.

Education

The final quarter of 1984 has been devoted to three major objectives all designed to achieve our overall goal of promoting school safety through education involvement in proactive, preventive strategies involving collaborative efforts with law enforcement, community based organizations and other agencies: 1) summarizing, evaluating and strengthening our contacts with significant education professional organizations and their leadership; 2) coordinating participation in major national education conferences to be held in the first half of 1985; and 3) assisting in the research, writing, and development of school safety publications.

To meet these objectives, the Education staff has made written and verbal contact with major education organizations to explain the NSSC mission and to find ways of collaboratively approaching school safety problems and issues. These organizations are typified by contacts with the National Association of State Boards of Education, the National Association of Black School Educators, the National Association of Secondary School Principals, and the American Association of School Administrators.

Staff has spent significant effort researching and developing tri-folds, specialty handbooks and other articles and publications related to school safety. Simultaneously, staff has continued the development of training modules as per the Grant Workplan.

Finally, extensive planning and arranging for personal contacts, presentations and collaborative efforts was conducted in preparation for the first quarter of 1985 when the Education staff will be traveling into various regions of the country to participate in conferences, identify successful programs and encourage state and local governmental officials to begin or maintain effective school safety programs.

Research

The major task of the Research Unit during this quarter was to research and write the 250-page School Safety Handbook. Four major chapters were written (1-School Climate and Discipline; 2-School Attendance; 3-School Crime and Violence - Crimes Against Persons; and 4-School Security - Crimes Against Property), and submitted to the handbook editor in January.

In addition, Research staff initiated nine state level contacts representing seven states; attended one national level conference (NCJ&FCJ) and two state level conferences (California Youth Authority); and received six information and research requests from outside sources (one from Atlantic-Richfield Corporation, three from state level officials from three states and two from local level officials).

Internally, the Research Unit maintained and updated the in-house staff resource center; responded to 25 internal requests from Legal (2), Education (2), Law Enforcement (9), Communications (2) and the Director/Chief Deputy (10); ordered relevant publications and books; read and reviewed all incoming publications; and incorporated relevant information into the resource center; disseminated pertinent information to NSSC staff; and participated in other unit meetings as requested.

Legal

The Legal Unit has been and remains extensively involved in the development of NSSC's computerized research system, involving review of capabilities, compatibility and costs; selection of appropriate on-line retrieval system; negotiation and review of contracts; set-up and training of other NSSC staff; and debugging the entire system.

Legal has completed compiling and analyzing significant statutory and case law as well as legislation affecting school safety

issues for 18 of the 50 state jurisdictions; and continues to review relevant publications for cases and articles relevant to school climate.

In addition, Legal assisted in the development of the NSSC publication School Safety & the Legal Community; researched and provided information on current legal trends in school safety for incorporation into NSSC's School Safety Handbook, as well as wrote and/or reviewed various law-related articles for the School Safety Newsjournal.

During this quarter also, the Legal staff contacted persons necessary to promote, insure and arrange for NSSC participation in 12 international, national and state conferences, as well as contacting 22 national and 36 state and local officials and school safety experts to increase and enhance the NSSC network.

Finally, in cooperation with Research, the Legal Unit explored possibilities of creating a Native American School Safety Program for reservation schools. In that regard, contact was made with numerous Native American associations and organizations as well as several members of the U.S. Department of Interior.

Communications

This quarter, Communications published 30,000 copies of School Safety & the Legal Community, a specialty booklet to outline, promote involvement and define roles in school safety for public and private lawyers. Initial distribution of the booklet will include: 12,770 college level law faculty; 2,900 district attorneys; as well as court justices, state government constitutional officers, and legal and educational magazines and associations.

In addition, the second edition of the School Safety Newsjournal (Winter 1985) was completed and sent to printer. It will be distributed in January 1985.

Three articles were completed, two for KAPPAN, an educational publication, ("An Introduction to NSSC" and "Safe Schools: We Can't Do It Alone") and one on NSSC marketing activities for Public Relation News publication, an influential national public relations trade journal.

Completed School Safety Book Review plan; a prospectus for Part III Media Marketing Plan; as well as a draft prospectus for "United States Apple Corps," a student crime prevention and good citizenship program, and a Radio Public Service Advertisement Plan.

Received follow-up contacts, including seven radio, six TV and seven newspaper or journal outlets representing twelve different states, in response to media mailing; and began identifying and contacting radio and TV talk show program directors throughout the United States to promote appearance by NSSC staff.

The following is a detailed account of the Center's activities during October - December 1984. It is broken down into six major categories including Networking and Data Collection, Training, Field Consultation, Technical Assistance, Materials Developed and Disseminated, and Promotional Efforts.

NETWORKING AND DATA COLLECTION (in-house and on-site contacts, etc., developed to insure that we can provide services in an effective and efficient manner)

1. The Legal Section made contacts with 22 national and 35 state private and governmental officials and experts in education, law and law enforcement in order to increase and enhance the exchange of information between NSSC and other national state and local concerns (see attachment 1).

Special mention should be made that members of the Legal Unit staff met with U.S. Supreme Court Justice Warren Burger.

2. Law Enforcement and Education made 61 national, 81 state and 126 local contacts for the purposes of collection of materials for in-house files to proceed with clearinghouse responsibilities (see attachment 2).

This networking resulted in a clearer assessment of those states interested in improving their school safety approach, those states which are moving in exemplary ways presently, and those states which have not yet begun to address the problem.

In addition, in direct response to networking efforts, initial requests for assistance were received from three state level governmental and educational agencies:

- 1) State Department of Education, Hawaii
- 2) State Department of Education, Michigan
- 3) State Department of Nevada-Association of Counties

Contact was established with the Atlantic-Richfield Corporation to discuss the development of partnership activities in the areas of delinquency prevention, community development, and juvenile justice resources available in the Los Angeles area. Pursuant to ARCO's request, the Research Unit compiled a brief study on Hispanic dropout rates that may help to influence future program funding.

Some networking took place with Hewlett Packard and Xerox to determine private sector involvement in school safety issues.

3. The Research Unit's networking largely involved two particular efforts: corresponding with those people who forward to and share information with the Research Unit which, in turn, informs NSSC staff about access to relevant materials; and attending a variety of collaborative in-house and inter-agency meetings as requested by other staff members. This quarter's specific networking activities included informing NSSC staff members about the incoming journals and clippings, and providing an inventory of resource center holdings.

Research contacted Rich Snowden, President of Board, C.A.P. Training Center, discussed program to teach school age children how to deal with assault.

Research contacted Dr. Maxwell Kushner, Administrative Chairperson of Systemwide Task Force on School Safety Subcommittees, School District of Philadelphia, Pennsylvania.

4. The Legal Unit data collection efforts were twofold:

Compiling and analyzing significant statutory and case law as well as legislation affecting school safety issues such as discipline, truancy, drug abuse, civil liability of schools for crimes occurring on campus, child abuse, student searches, etc. Research on such issues has been completed for 18 of the 50 state jurisdictions. (It should be noted that this was accomplished with the assistance of two law school graduates, who had temporarily volunteered their time and efforts.)

Continuously reviewing the following publications for cases and articles relevant to school climate:

- 1) NOLPE Notes
- 2) U.S. Law Week
- 3) Education Law Reporter
- 4) Los Angeles Daily Journal
- 5) Journal of Law and Education
- 6) Justice Bulletin

- 7) National Criminal Justice Newsletter
 - 8) California School Law Digest
 - 9) California Journal
5. The Research Unit's data collection efforts primarily involved soliciting, receiving, reviewing and incorporating the following materials into the staff resource center:
- 1) Monthly publications were received and reviewed; relevant articles were incorporated into the library filing system.
 - 2) 457 newspaper articles forwarded from the clipping service were topically organized and disseminated to Executive Staff members; every article was then incorporated into the staff resource center files.
 - 3) Holdings in the resource center stacks were inventoried.
6. The Research and Legal Units explored possibilities of creating a Native American School Safety Program for reservation schools. In that regard, contact was made with the following persons and organizations:
- 1) Native American Rights Fund
 - 2) American Indian Law Center - Sam Deloria, Director, and Nancy Tuthill, Specialist on Native American school children
 - 3) Native American Indian Court Judges Association - Tom Colosimo and Nancy Gale
 - 4) American Indian Lawyers' Training Program - Dick Truedale
 - 5) Gerald Wilkinson, Director, National Indian Youth Council, Albuquerque, New Mexico
 - 6) Dr. Charlie Pedova, Special Education Services, Bureau of Indian Affairs
 - 7) Daryl Whitebear, Sacramento Branch Office of the Indian Health Service
 - 8) ERIC Clearinghouse staff member, Rural Education and Small Schools specialist
 - 9) Charles Jagnes, Sharee Freeman and Dennis Fox, U.S. Department of the Interior
 - 10) Bud Mason, U.S. Department of Health and Human Services
 - 11) Alan Wills and Marjorie Thompson, U.S. Department of Education
 - 12) Pat Gordon, Indian Youth of America
 - 13) Dr. O. Ray Warner, Indian Education Program, U.S. Department of Education
 - 14) The following U.S. Department of the Interior staff lawyers:
 - Robert Moeller, Phoenix Field Solicitors Office
 - Arthur Arguendas, Window Rock Field Solicitor
 - Theodore Meredith, Billings (Montana) Field Solicitor
 - Mariana Shulstead, Twin Cities (Minnesota) Field Solicitor
 - Arthur Biggs, Portland (Oregon), Assistant Regional Solicitor

A letter was sent to Assistant Secretary of the Interior for Indian Affairs, Kenneth L. Smith, outlining NSSC, its general goals and those pertinent to Native American school safety issues.

TRAINING (presentations, formalized training modules, exemplary program training visits, national standardized training programs)

1. Planned training modules for upcoming presentations:

- 1) Introduction/Orientation to NSSC
- 2) School/Police Cooperation
- 3) School Attendance

2. Made presentations at five national, nine state and ten local conferences, workshops, including:

- 1) National Council of Juvenile and Family Court Judges Conference; St. Louis, Missouri, October 1, 1984. Moderated workshop entitled "Truancy: Its Relationship to Alcohol and Drug Dependency"; and presented a paper on the "Correlation Between Substance Abuse and Truancy."
- 2) International Association of Chiefs of Police; Salt Lake City, Utah, October 20-24, 1984. Made two presentations to the Youth and Juvenile Justice Committee and Crime Prevention Committee. NSSC staff member appointed by IACP president to Youth and Juvenile Justice Committee.
- 3) National Black School Educators Conference; Cleveland, Ohio, November 14-18, 1984. Introduction/orientation to NSSC.
- 4) American Society of Criminology Conference; Cincinnati, Ohio, November 7-11, 1984. Presented paper on risk management of negative behavior on school campuses.
- 5) American Bar Association Law-Related Education Conference; Washington, D.C., November 12-15, 1984. Introduction to NSSC.

3. Continued planning for NSSC Leadership Conference. Proposed site, San Antonio, Texas in Fall 1985. Prospectus prepared and sent to government representatives in San Antonio. Meeting scheduled to discuss proposal in January 1985.

4. Pursued and received approval from National Council of Juvenile and Family Court Judges for NSSC participation at the annual conference on juvenile justice in March of 1985 sponsored by NCJ&FCJ in conjunction with the National District Attorneys Association. NSSC to present panel discussing student searches in school settings and role of district attorneys in school safety.

5. Formed NSSC panel entitled "Who Runs the Schools: Judges, Lawyers or Educators?" for the Ninth Annual In-Service Workshop on Crime, Violence and Vandalism Affecting Schools, sponsored by the Los Angeles County Superintendent of Schools. Also secured the following as cosponsors for the conference:

- 1) California District Attorneys Association
- 2) McGeorge School of Law
- 3) Pepperdine School of Law
- 4) National Organization on Legal Problems of Education (NOLPE)
- 5) Center for Civic Education

6. Pursued and received approval from International Association of Campus Law Enforcers for NSSC participation in conference

sponsored by that group scheduled for June of 1985 in San Diego, California. Sent letters to attorneys for appellant and respondent in Peterson v. SF.C.C.D., et al. requesting their participation on NSSC Panel for above-mentioned conference in San Diego.

7. Contacted Louis McHardy, Executive Director of NCJ&FCJ and Dean Robert Payant of the National Judicial College regarding planning a joint conference between their respective organizations focusing on school crime, violence and vandalism in late 1985. (McHardy and Payant met in early November 1984 to discuss possibilities.)
8. In addition the Legal Unit contacted persons necessary to promote, insure and arrange for NSSC participation in the following conferences, workshops and events:
 - 1) 30th Annual NOLPE Convention; Williamsburg, Virginia, December 5-9, 1984
 - 2) Citizenship and Law in the School Conference (International Conference); Bavaria, Germany, April 1985
 - 3) American Bar Association Convention; Sheraton Washington Hotel, Washington, D.C., July 4-11, 1985
 - 4) NCJ&FCJ Annual Conference; Point Clear, Alabama, July 14-19, 1985; contact: Jim Toner, NCJ&FCJ
 - 5) ABA Training Conference for Juvenile Court Prosecutors and Defenders; West Coast, 1985
 - 6) Academy of Criminal Justice Sciences Conference; March 31-April 4, 1985
 - 7) Annual NOLPE Conference; Chicago, Illinois, 1985

FIELD CONSULTATION (in-house and on-site responses and interaction with agencies, states, regions, organizations, etc., short of formal T.A.)

1. Research Assistance: Requests for research assistance originated from two sources - internal NSSC staff requests and external field requests. For internal recording purposes, only those external requests are reported that indicate activity solely conducted by and assigned directly to the Research Unit.

This quarter, the Research Unit responded to 25 internal requests and 6 external requests.

Internal Requests

A total of 25 requests were received and responded to from the following units:

- 9 Law Enforcement
- 2 Education
- 2 Communications
- 2 Legal
- 10 Chief Deputy Director/Director
- 0 Combination of units

These 25 requests were for the following types of work:

- 3 In-depth research
- 6 Program information
- 2 Contact persons/organization information
- 2 Statistics
- 2 General school-related information
- 4 Research summaries
- 1 Bibliographies
- 1 Information/literature analyses
- 2 School Safety Newsjournal articles, research, contacts
- 2 General in-house needs

More specifically, internal requests included the following:

- 1) Law Enforcement requested summaries of several gang control projects across the nation for use in the School Safety article dealing with student resolutions.
- 2) Law Enforcement requested information on two schools in the west and northwest that adopted successful school climate strategies to improve serious crime and disruption problems for the School Safety article dealing with student resolutions.
- 3) Law Enforcement requested statistical information on Hispanic dropout rates for its response to a request from ARCO's Vice President for Constituency Development.
- 4) NSSC Director requested a series of interviews and materials dealing with Native Americans and the schools. Request was originally received in October and was partially fulfilled at that time. Another portion was completed in November when an interview was conducted and results related to the Director. The assignment was fully completed in early December.
- 5) Law Enforcement requested a summary of national juvenile justice standards efforts.
- 6) Law Enforcement requested information concerning traffic safety and crime prevention programs and resources for school-aged youth in grades K-6 for its response to Wichita Falls, Texas, Police Department.
- 7) Education requested information on compulsory education and attendance-related issues. Six categories of information (pertinent law, district attendance policy, impact of attendance on employment, impact of attendance on income, problem statement of truants and dropouts, and attendance statistics) were sent in response to the request from the California Assembly Office of Research.
- 8) The Chief Deputy Director requested information on child abuse and samples of school board policies on school safety for Dr. Lynn Simons, State Superintendent of Public Instruction of Wyoming.
- 9) The Chief Deputy Director requested bibliographical and summarizing information concerning child abduction for Governor Terry Bradford of Iowa.
- 10) The Chief Deputy Director requested information on substance abuse to be sent to Thomas Miller, Attorney General of Iowa.
- 11) Law Enforcement asked for several options NSSC might take in response to two gang related external requests:
 - Information about gang intervention programs around the country and evaluations of these efforts; request from Broader Urban Involvement and Leadership Development (BUILD) Chicago, Illinois.
 - Information about Asian gangs and intervention programs geared specifically toward this group; request from Huntington Beach Union High School District.
- 12) Law Enforcement requested background information and contact names at the National Safety Council, Chicago, Illinois.
- 13) Law Enforcement and Education asked for analysis and updates of national statistics in on drug usage, gang activity, assaults, arson and vandalism.
- 14) Education requested key school safety issues be identified and collaborative program samples be provided in the following areas: child victimization, school attendance, substance abuse, school discipline, school climate and school security for CASCWA Conference presentation.

External Requests

- 1) Pearl Stuart, reporter for the San Francisco Chronicle called for information regarding the use of student anti-crime councils nationwide for an article on Oakland's proposal for such a program. Both Glen Scrimger and Gayle Olson-Raymer responded to the request on the same day of receipt, 11/27.
 - 2) Steve Gocke, Director of Pupil Personnel Services in Lancaster, California, School District asked for information on any programs dealing with teachers coping with the fine line between genuine affection with students and perceived molestation for an April 1985 in-service workshop. Request was received in October and assigned to Glen Scrimger after consultation between Law Enforcement, Research and Education. Glen received the request on 11/12 and closure is pending his action.
 - 3) Rhonda Harrell, Vincennes, Indiana, asked for school bus safety information and contacts.
 - 4) Steve Barnett of Highscope Educational Research Foundation, Ypsilanti, Michigan, was sent a bibliography, two articles and list of programs concerning suicide prevention among school-aged youth.
 - 5) Judy Jackson, Children's TV Workshop, was referred to Education Unit for statistics on children's accidents to and from school.
 - 6) Dr. John Van Elywynk, Chicago Coalition for Transportation Safety, was given contact names, organizations and articles concerning school crossing guards, busing arrangements and school supervision.
2. Legal Assistance: In addition to researching legal information for states as reported under data collection, the Legal Unit responded to the following in-house requests:
- 1) Request for information on Peterson v. SF.C.C.D., et al. (San Francisco Community College District) and Miller v. New York concerning the civil liability of schools for criminal assaults on students on campus for field staff.
 - 2) Request for further explanation of New Jersey v. T.L.O. and student searches for Education Unit.
 - 3) Prepared Brief Notes (an in-house document outlining court opinions in major cases) for the following cases:
 - a) Miller v. The State of New York
 - b) Bilbrey v. Brown
 - c) In re Oscar R.
People v. Oscar R.
3. Law Enforcement and Education staff responded to 31 requests for services at the national level with 7 requests for information, 8 for research, 3 for training, 1 for field consultation and 12 for materials. Thirty-three requests for services were received from state level agencies. The requests involved materials, consultation, training, research, and information. There were 25 local requests.
- Examples include requests for information on Adopt-a-School programs from the private sector; and agencies such as the Wisconsin Council of Criminal Justice requesting information and research on Native American Schools. These requests develop networks, provide us information on programs, and provide impetus for future linkage of organizations as well as the potential for future requests for more technical assistance.

TECHNICAL ASSISTANCE (formal requests/responses approved by OJJDP)

1. We have had four substantive requests for technical assistance which are pending formalization and OJJDP approval. These requests originate from:

- 1) Hawaii
- 2) Michigan
- 3) Nevada
- 4) Illinois

Initial request for technical assistance are also being processed from Massachusetts, Kentucky, Colorado, and Texas.

2. University of Washington, Center for Law and Justice. Visit of Gayle Olson-Raymer to Seattle, Washington, from November 14-16, 1984. Olson-Raymer met with four staff members of the Center for Law and Justice (CLJ) to ascertain how their work products could be useful to NSSC after the termination of their grant. The three-day meeting resulted in a "Proposal and Recommendations" document submitted to CLJ Director, Joe Weis and NSSC Director, George Nicholson, during the week of November 19-23. Its contents:

- 1) summarized the nature of current school-related information at the CLJ, as well as its production status and projected completion dates; and
- 2) suggested what information and products would be of interest to NSSC and discuss which products could be completed and forwarded to NSSC by January 15, 1985.

Decisions regarding further working relationships and collaboratively produced products will be made by the respective directors in early December.

MATERIALS DEVELOPMENT AND DISSEMINATION (publications, articles, multimedia products, etc., developed and disseminated to support Center goals and objectives)

1. Published 30,000 copies of School Safety & the Legal Community, a specialty booklet to outline, promote involvement and define roles in school safety for public and private lawyers. Included is a description of legal and leadership contexts within which lawyers impact on juvenile justice and, specifically, with crime in schools, student crime victimization and attendance.

Initial distribution of booklet will be to: 12,770 college level law faculty; 1,328 colleges with departments of education; 1,658 law libraries; 192 law school deans; 2,900 district attorneys; 1,000 appellate court justices; governors; attorneys general; state school superintendents; state supreme court chief justices; state school board associations; state legislative senate and house leaders; state criminal justice directors; Education Writers Association members; and legal and education magazines and associations. Lists are all inclusive for the United States. The remaining 6-8,000 copies will be distributed per external requests and conferences.

2. The second edition of School Safety (Winter 1985) was completed and sent to the printer. Distribution is scheduled for January 1985. Article topics include: "Peacemaking" and conflict resolution by Peter Commanday (New York); school safety and academic excellence by Nathan Quinones (New York Schools Chancellor); gang intervention by Bennie Swanns (Philadelphia); and nutrition and behavior by Alexander Schauss (Washington state). Also included are articles on current legislation on child abuse in California; T.L.O. v. New Jersey and related search and seizure

law; an overview of the Walt Disney Educational Media Company's role in education and school safety; and a 17 x 22-inch poster insert of the "School violence. There's more to it than meets the eye!" advertisement.

3. The School Safety Handbook, a 250-page comprehensive handbook, directed largely at school administrators on practical "how to" approaches to improve school safety, discipline, attendance and campus security, was researched and written by the Research Unit with assistance from legal and field staff. The draft will be submitted to the Handbook editor (Communications) in January.

The projected completion date (ready for typesetting) is March 1985.

4. School Safety Book Review plan completed. Generally, the plan is to distribute books, received free of charge, from book publishers to members of the NSSC Book Review Committee (which will include outside volunteers and Pepperdine University staff) who will review and submit written appraisals to School Safety for possible inclusion. The first reviews are scheduled to appear in the Spring 1985 issue.
5. Completed prospectus for Part III of Media Marketing Plan. This phase consists of regularly distributing 750-word opinion articles to the top 120 national daily newspapers (with circulation over 100,000).
6. Completed school safety article for KAPPAN, an educational publication. Will be published in upcoming issue.
7. Completed article on NSSC marketing activities for Public Relation News publication, an influential national public relations trade journal.
8. Legal Unit has reviewed the following articles for inclusion in the NSSC Legal Anthology, a 240-page compilation of articles on legal issues pertinent to school safety directed to the legal community.
 - 1) "The Legal Aspects of Academic Sanctions" by Julie Underwood O'Hara, J.D.
 - 2) "Crime and Punishment: The Judicial Role in School Discipline and Substantive Due Process" by Professor B. Glen Epley
 - 3) "Justifying Schools Searches: The Problems with the Doctrine of in loco parentis" by Patrick Dutton
 - 4) "Gangs on Campus" by Patrick Dutton
 - 5) "Let's Reduce Juvenile Crime with Character Education" by Mrs. Joan Christensen.

PROMOTIONAL EFFORTS (advertising campaign, other promotional articles, activities - promoting NSSC specifically or school safety in general)

1. "School violence. There's more to it than meets the eye!" print media PSA continues to receive significant placement in newspapers and magazines nationwide, including:
 - U.S. News & World Report (2,050,000 circulation)
 - Trial, Association of Trial Lawyers of America magazine (70,000)
 - North Carolina Education, North Carolina Education Association magazine (50,000 circulation)
 - St. Louis magazine (50,000 circulation)
 - New York magazine (425,000 circulation)
 - The Florida Bar Journal (34,000 circulation)
 - New Jersey Law Journal (8,300 circulation)

Each placement has generated numerous written requests for information from the Center. Typical response on Center's behalf is to forward copy of NSSC informational brochure.

2. Received follow-up contacts from media outlets in response to media mailing. Following are a list of some of the documented radio and TV stations, newspapers and magazines that have reported on school safety as a result of our media package:
 - . KNX Radio - Los Angeles
 - . WTLC Radio - Indianapolis, Indiana
 - . KCBS-TV - Los Angeles
 - . WKBD Radio - Sarasota, Florida
 - . KEYT Radio - Santa Barbara, California
 - . The Ragan Report - Chicago, Illinois (see attached)
 - . Channel 34 TV - Los Angeles, California
 - . KFDI Radio - Wichita, Kansas
 - . Safe Schools Bulletin, NASS - Austin, Texas
 - . WELI Radio - Connecticut
 - . KITV Television - Honolulu, Hawaii
 - . WMYU Radio - Knoxville, Tennessee
 - . WICC-TV - Bridgeport, Connecticut
 - . KSTS-TV - San Jose, California
 - . EDCAL, Association of California School Administrators newsletter (see attached)
 - . Channel 40-TV - Sacramento, California
 - . Oregon City Enterprise
 - . Wyoming Eagle - Wyoming
 - . Valley Advance - Vincennes, Indiana
 - . Jasper Daily - Jasper, Alabama
3. Developed process to identify and contact radio and TV talk show program directors throughout the United States to promote appearances by NSSC staff. Staff participation arranged for "Look Who's Talking" in Sacramento; a radio talk show in Seattle; and tentatively for a TV talk show in Portland, Oregon.

Future arrangements will be made to coincide with staff travels and particular areas of expertise.
4. Completed draft prospectus for "United States Apple Corps," a student crime prevention and good citizenship program. The prospectus calls for marketing the program to all 100,000 school principals in the U.S. The objective of the Apple Corps is to persuade students to promote good citizenship and share responsibility for school crime prevention, improved discipline and increased attendance. Promotional materials and a coordinators curriculum are being prepared.
5. Completed Radio Public Service Advertisement Plan. The plan includes program objectives as well as outlines, formats, distribution plans and budget. Talent for spots is presently being solicited.
6. Created and maintaining constant communication with NSSC Marketing Advisory Group of distinguished professionals from the media, public relations, marketing, education and law enforcement.
7. Completed the Channel 5 TV program in San Antonio, Texas, on November 9, 1984 at 8:00 a.m.
8. Completed one-hour radio talk show in Connecticut on October 8, 1984 as directed by Stuart Greenbaum and Doug Clark.
9. Opening Ceremonies completed - approximately 500 attendees, including notable state and local officials. Certificates of appreciation provided to all participants. Joint Resolution presented by the California Legislature endorsing NSSC.
10. NSSC model resolution for safe schools developed for use in the NSSC School Safety Newsjournal. Six schools (Texas, Illinois, Oregon, California, Florida and New York) were involved in adopting the resolution. They are featured in the Winter edition of School Safety Newsjournal.



U. S. DEPARTMENT OF JUSTICE
Office of Justice Assistance, Research and Statistics

CATEGORICAL GRANT PROGRESS REPORT

This recordkeeping requirement falls under the authority of P.L. 96-511, Sec. 3507. The information provided will be used by grant monitors to track grant progress. No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing laws and regulations (ONB Circulars A-102 and A-110, Omnibus Crime Control and Safe Streets Act of 1968, as amended; Juvenile Justice and Delinquency Prevention Act of 1974, as amended, and the Justice System Improvement Act of 1979, as amended).

1. GRANTEE Pepperdine University		2. AGENCY GRANT NUMBER 84-JS-AX-0004	3. REPORT NO. 4
4. IMPLEMENTING SUBGRANTEE N/A		5. REPORTING PERIOD (Dates) FROM: 1-1-85 TO: 3-31-85	
6. SHORT TITLE OF PROJECT NSSC	7. GRANT AMOUNT \$3,948,993	8. TYPE OF REPORT ☒ REGULAR ☐ FINAL REPORT ☐ SPECIAL REQUEST	
9. NAME AND TITLE OF PROJECT DIRECTOR Dr. David Davenport President	10. SIGNATURE OF PROJECT DIRECTOR	11. DATE OF REPORT 4-26-85	
12. COMMENCE REPORT HERE (Continue on plain paper)			

Introduction

Program activities for the first year were largely divided into two areas: 1) data collection and networking efforts (on-site visits, attendance at professional conferences, as well as written and telephonic communications) aimed at developing a national perspective and framework from which to prepare specific plans and priorities; and 2) development and initial implementation of strategies to accomplish identified objectives within each Section.

During this year, staff visited 45 states and the District of Columbia meeting with prominent education, legal, research and criminal justice leaders. Alaska, Hawaii, New Hampshire, Vermont and Maine will be visited in the 1985-86 grant year. Specific Center accomplishments are summarized below by Section.

Law Enforcement and Education

To date, Law Enforcement and Education staff have made on-site contacts with 213 national, 191 state level and 502 local level law enforcement, education, government, legal, private sector and other youth-serving organizations, agencies and individuals; and attended/participated in 22 national, 26 state level and 12 local/regional level conferences and workshops. Such contacts enabled staff to accomplish the following:

- Compile materials on national, state and local organizations, programs, exemplary schools and school safety issues to facilitate the NSSC clearinghouse function and the development of publications;
- Collect information and materials on effective and exemplary efforts and programs for development of handbooks, journal articles and for use as an information base in training, field consultations and technical assistance;
- Network with national, state and local officials to promote the collaborative approach to school safety and delinquency prevention; and
- Respond to requests from state and local law enforcement and education agencies for information, assistance in developing conferences and training workshops, and general and specific technical assistance.

Throughout the first year, the Law Enforcement Section identified three major objectives: 1) promote awareness of and involvement in school safety by law enforcement, juvenile justice and other youth-serving agencies and organizations;

2) coordinate efforts with juvenile justice agencies and organizations to develop delinquency prevention and response strategies; and 3) develop a national juvenile/school peace officers training program.

To accomplish these objectives, the Law Enforcement staff has worked with professional national agencies and organizations which deal with law enforcement, juvenile justice and delinquency prevention (e.g., American Probation and Parole Association, National Council of Juvenile and Family Court Judges, National Sheriffs Association, International Association of Chiefs of Police, National Alliance for Safe Schools, National Association of School Security Directors, International Juvenile Officers Association, etc.) in order to establish a cooperative relationship with NSSC; identified mutual goals and objectives; and created strategies and action plans including cooperative efforts in conferences, training and materials development.

Specific staff tasks included researching, developing and writing school safety and juvenile justice speciality handbooks, articles and materials; developing training modules and materials; implementing a systematic plan of involvement in the national conferences and workshops of these organizations; and coordinating efforts for cooperative program development in the areas of school safety, school peace officer training and delinquency prevention and response.

The Education Section also focused on three major objectives designed to promote collaborative school safety efforts between educators, law enforcement, community-based organizations and other agencies: 1) summarize, evaluate and strengthen contacts with significant education professional organizations; 2) coordinate participation in major national education conferences; and 3) assist in the research, writing and development of school safety publications, articles and other materials.

To meet these objectives, the Education staff made written and verbal contact with major education organizations explaining the NSSC mission and discussing collaborative approaches to school safety problems and issues. These organizations are typified by contacts with the National Association of State Boards of Education, the National Association of Black School Educators, the National Association of Secondary School Principals and the American Association of School Administrators.

In addition, staff has been involved in researching and developing specialty handbooks, articles and publications related to school safety. Simultaneously, staff has continued to develop training modules as per the grant work plan.

Research

The Research Section created and maintains an in-house Staff Resource Center which includes programmatic, organizational and issue information for each of the 50 states and the District of Columbia. Information collected for the Staff Resource Center comes from a wide variety of sources: materials obtained during field visits; a national clipping service; personal staff materials; new acquisitions ordered for Staff Resource Center usage; (unsolicited) materials sent to NSSC; etc. The Research Section responds on a continual basis to external and internal requests for state-of-the-art programmatic knowledge, statistical trends and profiles and school safety research findings. The Section has also been involved in the development of technical assistance. Additionally, the Research Section has worked in close collaboration with the Communications Section to produce various NSSC publications, including School Safety.

The Research Section actively facilitates linkage among groups and organizations working on similar issues. During the past year, Research staff initiated contacts with 120 organizations and persons, representing 36 states and the District of Columbia; attended 11 conferences or workshops; researched and presented papers at 3 national conferences; responded to 86 requests from 23 states for services; filled 112 internal requests for information; and collaborated with field staff in responding to 4 technical assistance requests from 4 separate states.

The final major task of the Research Section this year was to research and write the 250-page School Safety Handbook. Four major chapters were written (School Climate and Discipline; School Attendance; School Crime and Violence - Crimes Against Persons; and School Security - Crimes Against Property).

The Legal Section has been and remains extensively involved in the development of NSSC's computerized research system, involving review of capabilities, compatibility and costs; selection of appropriate on-line retrieval system; negotiation and review of contracts; and set-up and training of other NSSC staff.

Legal staff has completed compiling and analyzing significant statutory law, as well as legislation affecting school safety issues for 25 of the 50 state jurisdictions, and continues to review relevant publications for cases and articles relevant to school climate. Considerable time has also been spent organizing and promoting specific NSSC programs and activities including the Adopt-a-School program, the NSSC Professional Advisory Council and Legal Advisory Council and the NSSC Leadership Conference.

In addition, the Legal Section assisted in the development of the NSSC publication School Safety & the Legal Community; researched and provided information on current legal trends in school safety for incorporation into NSSC's School Safety Handbook; wrote and/or reviewed various law-related articles and the Legal Update Section for the School Safety Newsjournal; wrote an introductory chapter and selected and edited appropriate articles for NSSC's Legal Anthology; and prepared papers and articles for other publications, conference presentations, etc.

During this year also, the Legal staff contacted persons necessary to promote, insure and arrange for NSSC participation in 12 national and state conferences, as well as contacting 85 national and 170 state and local officials and school safety experts to increase and enhance the NSSC network.

Finally, the Legal Section has responded to 59 requests for legal information, opinions, status of the law in particular states, legal trends, explanations of legal holdings, etc.

Communications

The Communications Section complements NSSC activities by providing communications services such as publications and multimedia productions, as well as initiating public information projects, such as public service advertising and media relations.

The Communications Section developed an ongoing information sharing process with 225 national legal/law enforcement/education associations in areas such as safety-related marketing, public relations and training activities.

Communications, in cooperation with other Center staff, also developed and produced three issues of School Safety, the NSSC Newsjournal, which focuses on school safety and delinquency prevention trends and model programs. The newsjournal is distributed three times annually to approximately 80,000 key policy shapers throughout the United States. Communications also developed and produced 20,000 copies of School Safety & the Legal Community, (the first of four NSSC specialty booklets, informing members of the legal profession about school safety issues and encouraging their involvement); 20,000 copies of an NSSC information brochure which describes the Center background, goals, objectives, activities and staff; and printed 10,000 copies of The Right to Safe Schools, a reprint of a McGeorge Law School Law Journal article on California's constitutional right to safe schools.

The School Safety Handbook and School Safety Legal Anthology are also in the final stages of preparation, including detailed distribution plans.

Toward its marketing/promotional goals, Communications achieved the following:

- Initiated "automatic arrangement" with the U.S. Department of Education's Educational Resources Information Center (ERIC) to reproduce and make available through their computerized clearinghouse all NSSC publications.

- Developed and distributed media information packets to 10,000 media outlets (7,500 newspapers, 500 magazines, 1,500 commercial and public radio and TV stations, 500 top radio stations).
- Produced and distributed an NSSC public service advertisement, "School violence. There's more to it than meets the eye!" placed in many of the nation's major newspapers and magazines. Comparable worth of free space donated to date is in excess of \$250,000 with an estimated reach of 10 million.
- Working with Bonneville Media Communications in Salt Lake City to develop initial draft of proposed national, multimedia public service advertising campaign, funding of which will be sought primarily from private sources.

The following is a detailed account of the Center's activities during January - March 1985. It is broken down into six major categories including Networking and Data Collection, Training, Field Consultation, Technical Assistance, Materials Developed and Disseminated, and Promotional Efforts.

NETWORKING AND DATA COLLECTION (in-house and on-site contacts, etc., developed to insure that we can provide services in an effective and efficient manner)

1. Law enforcement and Education staff made contact with 71 national, 129 state and 209 local officials and representatives. At this time, 45 states and the District of Columbia have had on-site visits. (Alaska, Hawaii, Maine, Vermont and New Hampshire will be visited in the second grant year.) Specific examples of field contacts this quarter include:
 - National Convention on Children of Alcoholics in Orlando, Florida. Program information related to children of alcoholics program; efforts from at least 16 different states was complied.
 - SHO/DI Cluster Conference in Denver, Colorado - law enforcement, education, probation and community representatives from 4 states attended.
 - California Youth Authority Transfer of Knowledge Workshop in Tustin, California regarding school safety and academic excellence. The materials gathered from these conferences will be used in the development of handbooks and training curricula.
 - National Conferences of the Association of Teacher Educators, Las Vegas, Nevada - teacher preparation programs from all over.
 - Business/education partnerships: Robert Martin, Associate Manager of the U.S. Chamber of Commerce; Daniel Merenda, National School Volunteer Program; Thomas W. Evans, Presidential Advisor on Private Sector Initiatives; Sol Hurwitz, Commission on Economic Development; Dale Mann and Love Miller, Columbia University; and other key state and local experts.
 - On-site visits to Florida, Tennessee, Kentucky, Texas, Alabama, Arkansas, Mississippi, Arizona, Oklahoma, Georgia, West Virginia, Washington, D.C., Pennsylvania, New Jersey, Colorado, Delaware, Maryland, North Carolina, Oregon, Washington, Montana, New York, South Carolina, Illinois and Ohio.
2. Legal staff made 28 national, 47 state level and 8 local level field contacts (see attached contact summaries). Specific examples include:
 - California Youth Authority Transfer of Knowledge Workshop on Restitution in Pasadena, California. Met with and heard from many active restitution practitioners throughout California. Gathered information for NSSC restitution handbook.

- The National School Boards Association Council of School Lawyers Conference in Anaheim, California.
 - A California Committee on Citizenship Education meeting in Sacramento.
 - The Constitutional Rights Foundation State Mock Trial finals in Sacramento.
3. Legal reviewed In Re James Edward D., 4 Civ. 30948, for potential amicus curiae brief.
 4. Legal gathered statutes impacting on school safety issues from New Jersey, Kansas, Iowa, Hawaii, Washington, D.C. and Maine; and compiled and analyzed legislation from various state sources.
 5. The Research Section initiated 8 national, 11 state level and 39 local contacts representing a total of 17 states and the District of Columbia: California, Georgia, Illinois, Iowa, Maryland, Michigan, Minnesota, New Jersey, New Mexico, New York, Ohio, Pennsylvania, South Carolina, Texas, Virginia, Washington and Wisconsin.
 6. Representatives from the Research Section attended five conferences: three state level, sponsored by the California Youth Authority, the Hispanic Policy Development Project, and the California Policy Seminar; and two local level, one sponsored by Pepperdine University and one by Cities in Schools.
 7. Representatives from the Research Section also traveled to a number of organizations and programs within California to conduct interviews and gather programmatic information: Ventura County Juvenile Restitution Project; Gateway Community School; Pepperdine University; American Jewish Committee; Los Angeles Department of Education; and John Stills Junior High School Conflict Resolution Program.
 8. Research continued to collect, categorize and file programmatic, legislative and issue-oriented information on each of the 50 states and the District of Columbia. The library stacks and information files are updated daily. On a quarterly basis, an updated inventory of the Resource Center holdings is distributed to the Deputy Directors.
 9. Research reviewed approximately 40 journals and approximately 300 books and monographs.
 10. In addition to keeping staff informed of incoming articles and books, the Research Section reads, categorizes and disseminates a weekly current event package to all units consisting of approximately 600-1,000 clippings from newspapers across the nation. These clips are then incorporated into the informational files.
 11. The Communications Section:
 - Coordinated a plan with Professor Ralph Rossum, Claremont College (California) to develop, distribute and report on juvenile justice survey (will utilize School Safety, NSSC Newsjournal).
 - Participated in a national Education Writer's Association conference. Solicited authors for School Safety articles, presented school safety issues at numerous round-table discussions and distributed NSSC materials to attendees.
 - Coordinated background material and appearance by Washington Prep High School (Los Angeles) Principal George McKenna on national Cable network special on school safety.
 - Completed interview with Edward L. Bernays, generally regarded as the "father of the public relations profession." The session provided some valuable insight and suggestions on the future direction of the Center's public relations activities. A formal written presentation of the interview, with photographs, will be developed for publication in either School Safety, Pepperdine People or possibly selected trade journals.

- Is coordinating the development of a proposed conference series on school safety to be jointly presented by NSSC and the National School Boards Association.
- Maintains regular communication with members of NSSC Marketing Advisory Group to gain professional and multidisciplinary input on various NSSC marketing activities.

TRAINING (presentations, formalized training modules, exemplary program training visits, national standardized training programs)

1. Law Enforcement and Education field staff made presentations to 9 national, 6 state and 3 local conferences including:
 - National Secondary School Principals Association National Conference in New Orleans, Louisiana;
 - American Correctional Association National Conference in Orlando, Florida;
 - SHO/DI Cluster Conference in Colorado Springs, Colorado;
 - Conference to develop a National Partnership to Prevent Drug and Alcohol Abuse;
 - California Youth Authority Transfer of Knowledge Gang Intervention Workshop;
 - Los Angeles County Superintendent's Annual Workshop on School Crime and Violence; and
 - National School Boards Association, Anaheim, California.
2. Law Enforcement staff continues to work with the National Crime Prevention Institute (Kentucky) and Sam Houston State University to develop and implement a national school peace officers training curriculum.
3. Staff is coordinating law enforcement training and field activities with OJJDP projects, SHO/DI and the National Center for Missing and Exploited Children.
4. Staff continues to work with the American Parole and Probation Association on the development and implementation of regional juvenile justice training programs.
5. Staff is exploring training and research programs on school crime and delinquency preventions with Jackson Toby, Rutgers University.
6. NSSC is planning 4 regional training workshops on school crime/delinquency prevention with NSBA for October 1985. Other sponsors in education and law enforcement will be included.
7. A Stakeholders Conference is being proposed to OJJDP to address the safe schools issue.
8. Legal staff made presentations at the following conferences:
 - 9th Annual In-Service Workshop on Crime, Violence and Vandalism in the City of Industry, California. Sponsored a panel on legal issues involving the schools with five expert panelists, each speaking on a separate topic.
 - 12th Annual Conference on Juvenile Justice in Philadelphia, Pennsylvania, sponsored by the National Council of Juvenile and Family Court Judges and the National District Attorneys Association. Created, organized and moderated a panel on the impact of New Jersey v. T.L.O. with three panelists of appropriate backgrounds.
9. Legal contacted appropriate persons and continued promoting a joint NSSC, NCJ and NCJ&FCJ conference on school safety for January 1986.

FIELD CONSULTATION (in-house and on-site responses and interaction with agencies, states, regions, organizations, etc., short of formal T.A.)

1. Law Enforcement and Education staff responded to 42 requests for services at the national level with 12 requests for information, 5 for training, 6 for field consultation and 18 for materials.

93 requests for services were received from state level agencies (representing 25 states) and 86 from local agencies involving information, research, field consultation, technical assistance and materials. Examples include:

- Robert Rubel, National Alliance for Safe Schools, for crime statistics;
- Pasqual Marquez, DOJ Community Services, Kansas City, Missouri for information on school/law enforcement liaison programs;
- Michael Mendoza, California Assemblyman Dennis Brown's office, information on child abuse/domestic violence;
- New Age Journal (national magazine) regarding exemplary school crime prevention programs;
- Bruce Storm, Chief of Police, Woodland, Oklahoma regarding school/police cooperation;
- Buck Martin, Madison, Wisconsin regarding American Indian schools;
- June Miller, Channel 56, Los Angeles, California regarding George Washington Prep and Principal George McKenna;
- Institute for Safety in Schools (ISIS), Chicago, Illinois. Staff has worked with leading civic, community, law enforcement, education and religious leaders regarding a summer symposium on the reduction of crime in and about Chicago schools;
- Michael Pirsch, Executive Director, Minnesota Classified School Employees Association;
- Phyllis Blaustein of the National Association of State Boards of Education;
- Edmund C. Toomey, Vice President of the Boston Committee regarding finalizing a collaborative safe schools project; and
- Cities in School regarding possible collaborative efforts providing T.A. type responses.

2. Nineteen in-house requests for legal information were received from and completed for NSSC Research Section. Three in-house requests for legal information were received from and completed for NSSC Education Section. One in-house request for legal information was received from and completed for NSSC Law Enforcement Section. Two in-house requests for legal information were received from and completed for NSSC Director and Chief Counsel. Two external information requests were received from outside sources.
3. The Research Section received a total of 33 information and research requests from outside sources: 4 national level, 7 state level and 22 local level, representing 13 states and the District of Columbia: Alaska, Arizona, California, Connecticut, Florida, Illinois, Iowa, Montana, Nevada, Oregon, New Jersey, New York, and Vermont.
4. Research also responded to a total of 29 internal requests:
 - 7 Law Enforcement
 - 3 Education

- 5 Communications
- 3 Legal
- 10 Chief Deputy Director/Director
- 1 Combination of Sections

These 29 requests were for the following types of work:

- 5 In-depth research
- 5 Program information
- 2 Contact persons/organization information
- 2 Statistics
- 2 General school-related information
- Research summaries
- 1 Bibliography
- 8 Information/literature analyses
- 2 School Safety Newsjournal articles, research, contacts
- 2 General in-house needs

Each of these requests required anywhere between one-half hour of staff time (providing contact names and addresses) to several days (an in-depth response, such as the federal involvement in school safety request, required two working days to complete).

TECHNICAL ASSISTANCE (formal requests/responses approved by OJJDP)

1. Law Enforcement and Education field staff have maintained continued contact for development of technical assistance proposals with the states of Hawaii, Michigan, (Boston), Massachusetts; (Chicago), Illinois and Nevada; initial communication was established with Wisconsin, North Carolina, Washington and Montana.
2. The Research Section participated in developing an NSSC response to four T.A. requests, representing four states: The Boston Committee, Inc. (Boston, Massachusetts); P.U.S.H. (Chicago, Illinois); Hawaii Department of Education (Honolulu, Hawaii); and Michigan Department of Education (Lansing, Michigan).

MATERIALS DEVELOPMENT AND DISSEMINATION (publications, articles, multimedia products, etc., developed and disseminated to support Center goals and objectives)

1. Communications Section:
 - Completed camera-ready artwork for School Safety, the NSSC Newsjournal, for Spring 1985. Distribution date April 15, 1985.
 - Distributed approximately 15,000-20,000 publications quarterly to complete external requests for publications resulting from public service advertisements, "second-hand" review of previously distributed publications, or field contacts, averaging approximately 50-100 weekly, 300 for the month and 1,000 quarterly.
 - Developed School Safety "Feature Topic" plan which outlines proposed subjects to be highlighted in subsequent issues of the newsjournal as well as suggested article ideas. This provides NSSC staff and professional contacts with guidelines for submitting article ideas and potential authors as well as assisting with determining copy deadlines.

- Developed distribution plans for School Safety Handbook, School Safety Legal Anthology and School Safety, the NSSC Newsjournal, Spring 1985 issue. Ordered lists from various vendors for all above mailings.
 - Prepared and distributed a plan for an ongoing series of Opinion and Editorial page articles to be submitted to the nation's top 120 newspapers with circulation in excess of 100,000. The article, accompanying artwork, and explanatory letter are part of the NSSC Media Marketing Plan. The objectives are twofold: 1) promote school safety issues directly to the public through published articles; and 2) inform and educate editors of the newspapers about school safety to promote continued and expanded coverage of the issue. Distributed "Schools Without Crime and Violence: A New Era" by George Nicholson and "School Safety and the Law" by California Supreme Court Justice Stanley Mosk as the first two in this series of articles.
 - Initiated "automatic arrangement" with the U.S. Department of Education's Educational Resources Information Center (ERIC) to reproduce and make available through their computerized clearinghouse all NSSC publications.
2. The Legal Section has progressed on the legal anthology to the point where all authors and publishers have given permission to reprint their articles. A letter to Pepperdine University General Counsel was sent requesting advice on two publishers who were withholding permission to publish. An answer was received advising NSSC to pay for the use of those articles. Prefaces for the signatures of Edwin Meese, U.S. Attorney General, and William Bennett, U.S. Secretary of Education, have been drafted and sent to them for their approval. Introductory remarks by the NSSC Director have been drafted and edited. An overview chapter on school safety is being written for inclusion in the anthology.
 3. A letter in support of Petition for Hearing was filed with the state Supreme Court in the case of In re James Edward D., 4 Civ. 30948. Hearing was granted. Preliminary research has been done in anticipation of filing an amicus curiae brief in the case. Potential co-amici have also been contacted to join NSSC in the filing of the brief.
 4. Preliminary research has been done on an article on third-party liability of schools for injuries occurring on their campuses, to be submitted for publication to outside periodicals and legal journals.
 5. Research, writing and editing have been completed for a law-related education paper to be presented at the Academy of Criminal Justice Sciences Conference in Las Vegas, Nevada.
 6. Inter-unit meetings and preliminary gathering of materials continued for the restitution and juvenile justice handbooks.
 7. In addition, information and materials were compiled by field staff for a future article on business/education partnerships for School Safety Newsjournal; editing was completed on the Kippap School Safety article; and papers were prepared on school safety issues for the American Academy of Criminal Justice Sciences Conference in Las Vegas, Nevada.

PROMOTIONAL EFFORTS (advertising campaign, other promotional articles, activities - promoting NSSC specifically or school safety in general)

1. NSSC public service advertisement, "School violence. There's more to it than meets the eye!" was placed in various additional newspapers and major magazines including: TIME, The Weekly Newsmagazine (circ. 4.6 million; value of space \$27,160); Hon Appetit (circ. 1,300,000; value \$7,015); National Journal (circ. 5,000; value of full page ad \$3,600), and New York (circ. 425,000; second time they have run ad). Requests for Center materials directly attributed to these placements and other newspaper and radio announcements indicate quantifiable increased public awareness of school safety issue. Comparable worth of free space donated to date is in excess of \$250,000.

2. Communications worked with Bonneville Media Communications in Salt Lake City to develop initial draft of proposed national, multimedia public service advertising campaign. Upon completion, funding for the campaign will be sought primarily from private sources.

Law Enforcement and Education Sections

REQUESTS FOR SERVICES

<u>42</u>	National	
<u>12</u>	Information	
	Research	
<u>6</u>	Training	
<u>6</u>	Field consultation	
	Technical assistance	
<u>18</u>	Materials	
<u>93</u>	State	*(representing <u>25</u> states)
<u>26</u>	Information	
<u>5</u>	Research	
	Training	
<u>16</u>	Field consultation	
<u>1</u>	Technical assistance	
<u>45</u>	Materials	
<u>86</u>	Local	*(representing <u>12</u> states)
<u>34</u>	Information	
<u>4</u>	Research	
<u>3</u>	Training	
<u>9</u>	Field consultation	
<u>2</u>	Technical assistance	
<u>34</u>	Materials	
<u>86</u>	TOTAL	

Law Enforcement and Education

CONTACTS SUMMARY

<u>71</u>	National level	
<u>26</u>	Education	
<u>25</u>	Law enforcement/juvenile justice	
	Legal	
	Research	
	Communications/promotion	
<u>10</u>	Government officials	
<u>10</u>	Private business/industry	
	OJJDP	
	Other	

CONFERENCES/WORKSHOPS

<u>9</u>	National level	
		<u>3</u>
		<u>3</u>
		<u>2</u>
		<u>1</u>

<u>129</u>	State level *(<u>26</u> representing <u>3</u> states)	<u>6</u>	State level
<u>40</u>	Education	<u>2</u>	
<u>41</u>	Law enforcement/juvenile justice	<u>3</u>	
<u> </u>	Legal	<u> </u>	
<u> </u>	Research	<u>1</u>	
<u> </u>	Communications/promotion	<u> </u>	
<u>29</u>	Government officials	<u> </u>	
<u>15</u>	Private business/industry	<u> </u>	
<u>4</u>	Other	<u> </u>	

<u>209</u>	Local level *(<u>29</u> representing <u>2</u> states)	<u>3</u>	Local level
<u>61</u>	Education	<u>1</u>	
<u>67</u>	Law enforcement/juvenile justice	<u>2</u>	
<u> </u>	Legal	<u> </u>	
<u>12</u>	Research	<u> </u>	
<u>10</u>	Communications/promotion	<u> </u>	
<u>24</u>	Government officials	<u> </u>	
<u>9</u>	Private business/industry	<u> </u>	
<u>26</u>	Other	<u> </u>	

409 TOTAL CONTACTS

18 TOTAL

Research Section

REQUESTS FOR SERVICES

<u>4</u>	National	
<u> </u>	Information	
<u>4</u>	Research	
<u> </u>	Training	
<u> </u>	Field consultation	
<u> </u>	Technical assistance	
<u> </u>	Materials	
<u>7</u>	State	*(representing <u> </u> states)
<u> </u>	Information	
<u>4</u>	Research	
<u> </u>	Training	
<u> </u>	Field consultation	
<u>3</u>	Technical assistance	
<u> </u>	Materials	
<u>22</u>	Local	*(representing <u> </u> states)
<u> </u>	Information	
<u>19</u>	Research	
<u> </u>	Training	
<u> </u>	Field consultation	
<u>3</u>	Technical assistance	
<u> </u>	Materials	
<u>33</u>	TOTAL	

Research SectionREQUESTS BY STATE

Alabama	_____	Montana	(2) R
Alaska	(1) R	Nebraska	_____
Arizona	(1) R	Nevada	(2) R
Arkansas	_____	New Hampshire	_____
California	(8) R	New Jersey	(2) R
Colorado	_____	New Mexico	_____
Connecticut	(1) R	New York	(3) R
Delaware	_____	North Carolina	_____
District of Columbia	(1) R	North Dakota	_____
Florida	_____	Ohio	_____
Georgia	_____	Oklahoma	_____
Hawaii	(1) TA	Oregon	(1) R
Idaho	_____	Pennsylvania	_____
Illinois	(3) TA/R	Rhode Island	_____
Indiana	_____	South Carolina	_____
Iowa	(1) R	South Dakota	_____
Kansas	_____	Tennessee	_____
Kentucky	_____	Texas	_____
Louisiana	_____	Utah	_____
Maine	_____	Vermont	(1) R
Maryland	_____	Virginia	_____
Massachusetts	(2) TA	Washington	_____
Michigan	(2) TA	West Virginia	_____
Minnesota	_____	Wisconsin	_____
Mississippi	_____	Wyoming	_____
Missouri	_____		

Code for State Count

I - Information
 R - Research
 T - Training
 F - Field consultation
 TA - Technical assistance
 M - Materials

Legal SectionCONTACTS SUMMARY

<u>28</u>	<u>National level</u>
<u>3</u>	Education
<u>1</u>	Law enforcement/juvenile justice
<u>19</u>	Legal
_____	Research
_____	Communications/promotion
<u>5</u>	Government officials
_____	Private business/industry
_____	OJJDP
_____	Other (National Indian Bd. Assn.)

CONFERENCES/WORKSHOPS

<u>2</u>	<u>National level</u>

<u>2</u>	

47 State level *(representing 19 states) 4 State level

<u>4</u>	Education	<u>2</u>
<u> </u>	Law enforcement/juvenile justice	<u> </u>
<u>31</u>	Legal	<u>2</u>
<u> </u>	Research	<u> </u>
<u> </u>	Communications/promotion	<u> </u>
<u>11</u>	Government officials	<u> </u>
<u> </u>	Private business/industry	<u> </u>
<u>1</u>	Other (National Indian School Board Association)	<u> </u>

8 Local level *(representing 4 states) Local level

<u> </u>	Education	<u> </u>
<u> </u>	Law enforcement/juvenile justice	<u> </u>
<u>6</u>	Legal	<u> </u>
<u> </u>	Research	<u> </u>
<u> </u>	Communications/promotion	<u> </u>
<u>2</u>	Government officials	<u> </u>
<u> </u>	Private business/industry	<u> </u>
<u> </u>	Other	<u> </u>

83 TOTAL CONTACTS

4 TOTAL

Legal Section

CONTACTS BY STATE

<u>Contact</u>	<u>State</u>	<u>Conference/</u>
<u> </u>	Alabama	<u> </u>
<u> </u>	Alaska	<u> </u>
<u>2-G, 1-E, 2-L</u>	Arizona	<u> </u>
<u> </u>	Arkansas	<u> </u>
<u>2-G, 5-L</u>	California	<u>2-L, 1-E</u>
<u>1-G, 3-L</u>	Colorado	<u> </u>
<u> </u>	Connecticut	<u> </u>
<u> </u>	Delaware	<u> </u>
<u>1-L</u>	District of Columbia	<u> </u>
<u> </u>	Florida	<u> </u>
<u>1-L</u>	Georgia	<u> </u>
<u> </u>	Hawaii	<u> </u>
<u> </u>	Idaho	<u> </u>
<u>1-L</u>	Illinois	<u> </u>
<u> </u>	Indiana	<u> </u>
<u> </u>	Iowa	<u> </u>
<u> </u>	Kansas	<u> </u>
<u> </u>	Kentucky	<u> </u>
<u> </u>	Louisiana	<u> </u>
<u> </u>	Maine	<u> </u>
<u> </u>	Maryland	<u> </u>
<u> </u>	Massachusetts	<u> </u>
<u> </u>	Michigan	<u> </u>
<u>1-L</u>	Minnesota	<u> </u>
<u>1-L</u>	Mississippi	<u> </u>
<u> </u>	Missouri	<u> </u>
<u> </u>	Montana	<u> </u>
<u> </u>	Nebraska	<u> </u>
<u> </u>	Nevada	<u> </u>
<u> </u>	New Hampshire	<u> </u>
<u>1-G, 1-O</u>	New Jersey	<u> </u>
<u>2-L</u>	New Mexico	<u> </u>
<u> </u>	New York	<u> </u>
<u> </u>	North Carolina	<u> </u>
<u> </u>	North Dakota	<u> </u>
<u> </u>	Ohio	<u> </u>
<u> </u>	Oklahoma	<u> </u>
<u> </u>	Oregon	<u> </u>
<u>1-L</u>	Pennsylvania	<u> </u>

	Rhode Island	
	South Carolina	
	South Dakota	
	Tennessee	
	Texas	
1-G, 1-L	Utah	
	Vermont	
1-G, 1-L	Virginia	
3-L	Washington	
	West Virginia	
	Wisconsin	
	Wyoming	

Code for Contacts

E - Education	R - Research	L - Legal
J - Law Enforcement	P - Private	O - Other
G - Government official		

20.

January 2, 1985

To: Len Johnson

From: Doug Clark *df*

Re: National School Safety Center Quarterly Reports Summary
May 1, 1984 - September 30, 1984

As stated in the original two quarterly reports, the first two months of operation (May and June) were largely devoted to grant administration duties including developing internal policies and procedures, completing job descriptions, interviewing and hiring staff, leasing space, and purchasing necessary equipment and supplies.

Program activities were largely involved in data collection and networking in an attempt to develop a national perspective and framework from which we have prepared our specific plans and priorities for the future. During this time period, staff visited 32 states (see list below), and made some other form of contact with 9 more (see list below). At this time, the only states we have not interacted with in some form are: Alabama, Alaska, Arkansas, Delaware, Maine, New Hampshire, New Mexico, North Carolina, South Carolina and Vermont.

States visited:

Arizona	Minnesota
California	Missouri
Colorado	Nebraska
Connecticut	Nevada
District of Columbia	New York
Florida	North Dakota
Georgia	Ohio
Illinois	Pennsylvania
Indiana	South Dakota
Iowa	Tennessee
Kansas	Texas
Kentucky	Utah
Louisiana	Virginia
Maryland	Washington
Massachusetts	Wisconsin
Michigan	Wyoming

Additional states contacted (not visited)

Hawaii	Oklahoma
Idaho	Oregon
Mississippi	Rhode Island
Montana	West Virginia
New Jersey	

Specific activities accomplished by the Center during this first five months are summarized below by Unit:

LAW ENFORCEMENT/EDUCATION

Data Collection and Networking

Law Enforcement and Education staff made contact with 78 national, 79 state level and 167 local level organizations, agencies and or individuals; and attended/participated in 10 national, 13 state and 2 local level conferences or workshops (see attached contact/conference summary). The major results of these contacts were:

1. The collection of materials for national, state and local organizations, program information, exemplary schools and issue-related information (i.e., truancy, child victimization, gangs, substance abuse, school climate, etc.) for purposes of providing clearinghouse information and resources for future publications.
2. Networking by NSSC staff with national level officials and organizations resulting in 78 contacts. These contacts provided access to information sharing, potential conference presentations, identification of key experts and consultants in the field for additional resources, and initial contact for the promotion of school safety awareness and potential development of model school safety programs.
3. Networking by NSSC staff with state level officials and organizations resulting in 79 contacts. These contacts provided access to the same possibilities listed above. In addition these contacts have resulted in six requests for NSSC's involvement in CYA Transfer of Knowledge Conferences and possible help to establish model school safety programs.
4. Networking by NSSC staff with local officials resulting in 167 contacts across the nation. These contacts resulted in a variety of requests for assistance, ranging from conference planning, to program assistance and a general of available information regarding specific issues such as truancy, school police, etc.

A national perspective has been developed (an ongoing process) from which we have delineated the following areas as program priorities:

1. Standardized school peace officer training;
2. State level interagency cooperative efforts - the creation of school safety programs within appropriate state agencies (i.e., state departments of education and attorney general offices);
3. National conference attendance for purposes of getting on next year's agenda or for making presentations this year. Those organizations were identified that could impact school safety issues (APPA, NASSP, etc.);
4. Continued networking with government agencies and officials and private sector which could impact school safety.

Training

1. NSSC staff participated in 10 national, 13 state and 2 local conferences providing presentations on a variety of school safety issues or an introduction to the services potentially provided by the Center.
2. Several contacts were made directly related to planning for the Fall 85 and Spring 86 Leadership Conference. A preliminary agenda was developed and a location chosen.

LAW ENFORCEMENT/EDUCATIONREQUESTS FOR SERVICES

<u>2</u> National	
<u>2</u>	Information
<u> </u>	Research
<u> </u>	Training
<u> </u>	Field consultation
<u> </u>	Technical assistance
<u> </u>	Materials
<u>4</u> State	
<u>1</u>	Information
<u>1</u>	Research
<u> </u>	Training
<u> </u>	Field consultation
<u> </u>	Technical assistance
<u>2</u>	Materials
<u>8</u> Local	
<u>1</u>	Information
<u>3</u>	Research
<u> </u>	Training
<u>3</u>	Field consultation
<u> </u>	Technical assistance
<u>1</u>	Materials
<u>14</u> TOTAL	

LEGAL UNITAdministration

1. Studied costs, capabilities and compatibility of Wang and Apple PC's and LEXIS and WESTLAW Data Bases toward development of a computerized legal research system;
2. Conducted contract negotiations with the above referenced companies regarding computer and data base services and products;
3. Responded to staff request regarding adequacy of the disclaimer in the NSSC informational brochure as required by O.J.A.R.S.

Data Collection and Networking

1. Identified the first 17 of the 50 states to be researched along with a list of issues deemed necessary for the thorough and systematic compilation of case law, statutory law and legislation impacting on school climate issues;
 - (a) Began compilation of above information
2. Reviewed and selected legal treatises, law reviews, legal periodicals, texts and reporters relevant and necessary for the tracking of cases impacting on school climate; compiled articles for the "Legal Anthology" and for the education of the Center's staff on current legal theories concerning various school climate issues.

- (a) Subscribed to and purchased, as well as began the process of consistent and thorough review of above materials.
3. Contacted and visited various national legal organizations and state and local officials in an attempt to better understand the needs of legal, educational and law enforcement communities in combatting school-related crime and violence; enhanced the level of awareness among members of those communities on the problems of school climate; assisted in planning for NSSC's participation in conferences, workshops and other events sponsored by organizations within those communities and informed those communities and officials of NSSC's existence and the services that NSSC provides.

Training

The Legal Unit of NSSC conducted three workshops:

1. Covering N.J. v. T.L.O. (a case pending before the U.S. Supreme Court) and student searches generally; in Washington, D.C., June 1985; initiated and sponsored by NSSC.
2. On student victims' rights as part of a victims' rights panel; at the American Bar Association Convention in Chicago, Illinois, July 1984; sponsored by the A.B.A.
3. Covering truancy and its relationship to alcohol and substance abuse; in St. Louis, Missouri, September 1984; as part of a conference sponsored by the National Council of Juvenile and Family Court Judges.

Materials Developed

The Legal Unit developed the following materials:

1. An article on NSSC for N.O.L.P.E. publication;
2. Sample of "safe school" resolution;
3. Article on N.J. v. T.L.O. for School Safety Newsjournal.

The Legal Unit began preparing the following publications:

1. NSSC's Legal Anthology
2. School Safety and the Legal Community

Finally, the Legal Unit considered and prepared a document meant for in-house use only, is to educate NSSC staff on cases deemed significant to school climate. The title of the document is "Brief Notes." It is a short synopsis of federal and state appellate court cases relevant to school climate.

RESEARCH UNIT

Data Collection and Networking

1. Created and maintained an in-house library system. Programmatic, organizational, and issue information has been collected for each of the 50 states and the District of Columbia. While this information is by no means complete, we have essential background materials on every state; files are updated daily.

Information collected for the library comes from a wide variety of sources: materials obtained by field staff during visits; clipping service; staff personal materials; new acquisitions ordered for library usage; materials sent to NSSC that are unsolicited; etc.

2. Ordered various publications and books, read and reviewed all incoming publications (journals, books, clippings), and incorporated relevant information into the library.

Approximately 30 journals are received regularly and reviewed by the Research staff; over 200 books and monographs have also been ordered and reviewed.

3. As can be noted, we have had contact with or responded to requests for some kinds of assistance from a total of 32 states and the District of Columbia. All information developed has been sent to the requestor and subsequently incorporated into the Center files. During the first six months, most of our requests originated from educational sources, with law enforcement and government sources taking second place (see attached contact summary).
4. The conferences and workshops attended by at least one representative from the Research Unit include:
 - o National Council of Juvenile and Family Court Judges Conference (St. Louis, Missouri/October 1984)
 - o Campus Policing and Student Violence (Stanford, California/October 1984)
 - o Drug Suppression in the Schools sponsored by California Governor's Office of Juvenile Planning (Sacramento, California/September 1984)
 - o Restitution Planning Workshops sponsored by the California Youth Authority (Sacramento, California/August - October 1984)
 - o Links between Child Abuse and Delinquency sponsored by the California Youth Authority (Sacramento, California/June 1984)
 - o Child Victimization and the Schools sponsored by the East Sacramento Rotary Club (Sacramento, California/August 1984)

Field Consultations

1. Responded to internal requests from Legal, Education, Law Enforcement, and Communications units as well as from the Chief Deputy Director and Director/Chief Counsel. - Approximately 58 requests were received and responded to from the following units:
 - 9 Law Enforcement
 - 5 Education
 - 9 Communications
 - 8 Legal
 - 8 Chief Deputy Director/Director
 - 19 Combinations of units
2. The majority of requests for services for the Research Unit deal with information about programs. Secondly, we receive requests for state-of-the-art and statistical research. Finally, we receive requests to link one group or organization together with another program or organization dealing with the same issues. (See attached summary of requests.)

Materials Developed

Assumed lead writing role for 250-page School Safety Handbook. Beginning October 15th, the Research Unit assumed the role of lead writers for the Handbook. Tasks included researching the four primary chapters (in conjunction with assistance from assigned field staff), writing the chapters, and conferring with Troy Armstrong regarding the Handbook "Overview."

RESEARCH UNIT
(May 1st through October 31st)

CONTACTS SUMMARY

<u>10</u>	National level (21 agencies*)
<u>10</u>	Education
<u>2</u>	Law enforcement/juvenile justice
	Legal
<u>5</u>	Research
	Communications/promotion
<u>8</u>	Government officials
<u>1</u>	Other
<u>3</u>	OJJDP

<u>25</u>	State level (11 states**)
<u>11</u>	Education
<u>6</u>	Law enforcement/juvenile justice
<u>1</u>	Legal
	Research
	Communications/promotion
<u>7</u>	Government officials
	Other

<u>56</u>	Local level (31 states***)
<u>33</u>	Education
<u>15</u>	Law enforcement/juvenile justice
<u>1</u>	Legal
<u>1</u>	Research
	Communications/promotion
<u>2</u>	Government officials
<u>2</u>	Other

111 TOTAL CONTACTSCONFERENCES/WORKSHOPS

<u>1</u>	National level
<u>1</u>	

<u>4</u>	State level
<u>2</u>	
<u>2</u>	
<u>1</u>	

<u>1</u>	Local level
<u>1</u>	

 TOTAL

* 21 national agencies: U.S. Departments of Education, Interior, and Health and Human Services; Indian Youth of America; National Institute on Drug Abuse; National School Volunteer Program; Center for Social Organization of Schools; 7001 Ltd.; Search Group, Inc.; National Schools Boards Association; National Association of Secondary School Principals; American Humane Association; National Conference of State Legislatures; National PTA; National Criminal Justice Reference Service; Council of Educational Facility Planners; Research for Better Schools; National Fire Protection Association; National Institute of Education; National Secondary Schools Recognition Program (DOED); National Center for Educational Statistics (DOED).

** 11 states: California, Michigan, Ohio, Washington, Tennessee, South Carolina, North Carolina, Kentucky, New Jersey, Washington, D.C., and Texas.

*** 31 states/local contacts: Pennsylvania (Pittsburgh, Philadelphia); California (Paramount, San Francisco, Davis, Palo Alto, Fullerton, Sacramento, Long Beach, Los Angeles, Fremont, Sunnyside, Lafayette, Santee); Wisconsin (Owen); New York (Stony Brook, Rochester, New York City); Ohio (Beavercreek, Hudson, Cincinnati);

Indiana (Indianapolis); Washington (Seattle, Olympia, Redmond); Oregon (Portland, Milwaukie); Michigan (Mt. Clemens, Berion County, Traverse City, Detroit); Texas (San Marcos, Port Lavaca, Austin); Illinois (Roselle); Massachusetts (Boston); Virginia (Charlottesville); Arizona (Mesa); Delaware (Newark); Florida (Fort Lauderdale, Hialeah, North Miami Beach); Georgia (Marietta); Iowa (Pleasant Valley); Kansas (Shawnee Mission); Nebraska (Lincoln); New Mexico (Albuquerque); Utah (Salt Lake City); Tennessee (Knoxville, Hixson); New Hampshire (Merrimack); Kentucky (Lexington); Rhode Island (Providence); North Carolina (Southern Pines); South Dakota (Montrose); Maine (Auburn); Oklahoma (Muldrow); and Connecticut (New Haven).

RESEARCH UNIT

REQUESTS FOR SERVICES

5 National

<u>1</u>	Program Information
<u>4</u>	Research
—	Training
—	Field consultation
—	Technical assistance
—	NSSC Materials
—	Networking

7 State* (representing 6 states)

<u>3</u>	Program Information
<u>1</u>	Research
—	Training
—	Field consultation
—	Technical assistance
—	NSSC Materials
<u>3</u>	Networking

16 Local** (representing 6 states)

<u>6</u>	Program Information
<u>5</u>	Research
—	Training
—	Field consultation
—	Technical assistance
—	NSSC Materials
<u>3</u>	Networking

28 TOTAL

* State contacts: Illinois, Florida, Michigan, Arizona, California, Washington, D.C.

** Local contacts: Chicago, Illinois (4 contacts); Ypsilanti and Detroit, Michigan; Huntington Beach, Wheatland, and Los Angeles, California; Minnetonka, Minnesota; Geneva, Alabama; Vincennes, Indiana.

COMMUNICATIONS UNIT

The Communications Unit complements the activities of the other NSSC sections by providing technical support services.

such as publications, multimedia productions and training conferences, as well as initiating public information projects, such as public service advertising and media relations.

Data Collection and Networking

Developed ongoing information sharing process with 225 national legal/law enforcement/education associations. The information sharing includes school safety-related legal, legislative and training activities.

Materials Development and Dissemination

1. Produced the premier issue of School Safety, the NSSC Newsjournal, which included five original articles addressing: community approaches to school safety, teaching basic values and respect for the law, intervention techniques, internal and external school security, and delinquency prevention, as well as legal and legislative updates. This information on the latest trends and exemplary programs of school safety and delinquency prevention was distributed to 80,000 key policy shapers throughout the United States. The recipients included all: 10,000 junior and senior high and combined K-12 school principals; 24,000 trial and appellate court justices; 7,500 state legislators; 535 congressmen; state governors, attorneys general, school superintendents, criminal justice planning directors and educational television directors; 1,700 daily newspapers and 49 syndicates; 478 general interest and trade magazines; 1,125 sheriffs; 2,900 district attorneys; and numerous related education, legal and law enforcement associations. In the course of the next 18 months, five subsequent issues of School Safety will be published and distributed to these same individuals.
2. Produced 20,000 copies of an NSSC information brochure which outlines the background, goals, objectives, activities and staff of NSSC. The brochure identifies the Center and informs individuals about school safety. It is distributed in response to informational requests from the public and the professional community.
3. Produced 10,000 copies of The Right to Safe Schools, a reprint of a McGeorge Law School Law Journal article on California's constitutional right to safe schools. The booklet is being distributed to lawyers and judges throughout the United States for information purposes and to promote adoption of a similar law in other states.

Promotional Efforts

Public information projects completed and initiated (ongoing) from May 1984 - September 1984 include:

1. Distribution of NSSC/school safety information packet to 10,000 print and electronic media outlets. This effort generated numerous interviews, special articles and programs, and placements of the "School violence. There's more to it than meets the eye." print media public service announcement.
2. Initiated process for regular submission of school safety related articles to the opinion page editors of the 125 daily newspapers in the United States with circulation of 10,000 or more. These articles will, when printed, promote discussion and awareness, and even if not printed, service to educate, inform and stimulate interest and possibly other articles. Plan buying January 1985.
3. Developed NSSC Marketing Advisory Group to provide professional, varying perspectives on effective means to market school safety. The group includes such notables as Edward L. Bernays, the "father of public relations"; Paul Rand, considered the most prominent designer in the

world; Professors O'Keefe and Mendelson, authors of the research report on the effectiveness of the "Take a Bite Out of Crime" crime prevention advertising campaign; Thomas Rockwell (son of painter Norman Rockwell); and numerous other luminaries of the advertising, public relations, and academic professions.

THE WHITE HOUSE

WASHINGTON

June 1, 1984

Our schools contribute significantly to the development of our young people as knowledgeable, responsible, and productive members of society. Unfortunately, problems of crime, violence, drug trafficking, truancy, vandalism, and discipline too often interfere with the safe and orderly processes of learning.

While many school officials are making concerted efforts to address these problems, their individual effectiveness is often limited. It is time for school and law enforcement leaders across the nation to focus active, joint attention on campus climates and to develop cooperative solutions to the serious problems which disrupt them.

To help achieve these things in each of the fifty states and the District of Columbia, the United States Departments of Justice and Education, in partnership with Pepperdine University, formed the National School Safety Center. This Center will coalesce public, private, and academic resources throughout America to provide a national headquarters to assist educators, law enforcers, and the public in restoring our schools as safe, secure, and tranquil temples of learning.

I urge all federal, state and local officials to assist this Center in addressing the needs of our nation's schools in the area of school safety and restoration of discipline. This effort will help restore academic excellence.

Ronald Reagan

A PARTNERSHIP OF THE U.S. DEPARTMENT OF JUSTICE
U.S. DEPARTMENT OF EDUCATION AND PEPPERDINE UNIVERSITY



NATIONAL SCHOOL SAFETY CENTER

7311 Greenhaven Drive, Sacramento, CA 95831
916-427-4600

National School Watch

Legal and Professional Computer Research System and Travel Priorities

Attachment A

	<u>MAY - DECEMBER, 1984</u>	<u>JANUARY 1985 - AUGUST 1985</u>	<u>SEPTEMBER 1985 - MAY 1986</u>
<u>NEW ENGLAND</u>	Massachusetts	Maine Vermont	Rhode Island New Hampshire
<u>EAST</u>	New York Pennsylvania	District of Columbia Connecticut New Jersey	Maryland Delaware
<u>SOUTH</u>	Texas Tennessee Kentucky North Carolina Florida Alabama	Georgia Mississippi Virginia South Carolina	Arkansas Louisiana West Virginia
<u>MIDWEST</u>	Illinois Michigan Indiana Ohio Minnesota	Iowa Ohio Kansas North Dakota	Wisconsin Missouri Indiana Nebraska South Dakota
<u>WEST</u>	California Colorado Montana Washington	Oregon Arizona New Mexico Nevada	Nevada Utah Idaho Alaska Wyoming

7311 Greenhaven Drive
Sacramento, CA 95831
916 427 4800



NATIONAL SCHOOL SAFETY CENTER

NATIONAL SCHOOL WATCH

NATIONAL SCHOOL SAFETY CENTER ADVERTISING CAMPAIGN

The National School Safety Center will conduct a nationwide, multimedia school safety advertising campaign in 1985-1986.* The NSSC Communications Section will work with electronic and print media public service directors, as well as advertising agencies, to help conceive, prepare and promote a national advertising campaign to: 1) promote school safety; and 2) solicit public and professional requests for information on school safety.

The advertising campaign will run May 1, 1985 through May 31, 1986 and will consist of three phases, Phase I and Phase II having a duration of four months and Phase III, five months. The various media formats used in some or all of the phases will be print (newspaper and magazine), television, radio, billboard (outdoor advertising) and poster.

Concept, preparation and promotion (distribution) of advertising for all media will be coordinated by the NSSC Communications Section and produced either internally or through commercial agencies, depending on the media.

All advertisements will be distributed as public service announcements (PSAs). They will be then placed by the representatives in each of the various media on a "space available" policy, without cost. Advertising agencies, the Advertising Council and other advertising, public relations and media associations will be approached and encouraged to cooperate and provide consultation, production and support as a public service or at substantially reduced rates for all aspects of the campaign.

The phases will be conducted as follows:

Phase I - Awareness

Date: May 1, 1985 - August 31, 1985

Media: print, radio, and poster

Focus: Promote human rights by providing safe campuses for students, teachers and staff. Provide overview of the magnitude and variety of school

crime, violence and vandalism and its human and fiscal costs. Identify education, law enforcement and legal support services and introduce NSSC.

Phase II - Involvement

Date: September 1, 1985 - December 31, 1985

Media: print, television, radio, billboard and poster

Focus: Promote NATIONAL SCHOOL WATCH, NSSC's toll free telephone school safety counseling system. Encourage participation by the public, law enforcers and educators, lawyers, business, marketing and media professionals to promote the rights of campus and campus-related crime victims and prevent school crime, violence and vandalism. Promote available NSSC programs, publications and other relevant information.

Phase III - Maintenance

Date: January 1, 1986 - May 31, 1986

Media: print, television, radio, billboard and poster

Focus: Promote continued awareness and involvement with school safety initiatives; recognize exemplary school safety programs.

PHASES	DATES	NEWSPR	MAG	TV	RADIO	BILLBD	PSTR
Phase I	May 1, 1985 - Aug. 31, 1985	X	X		X		X
Phase II	Sept. 1, 1985 - Dec. 31, 1985	X	X	X	X	X	X
Phase III	Jan. 1, 1986 - May 31, 1986	X	X	X	X	X	X

Production costs and distribution quantities of advertisements in each media format are as follows:

Print (Newspaper): \$3,500 per version (approximately 7,000 copies)

Print (Magazine): \$1,000 per version (approximately 2,000 copies)

Television: \$28,000 per version (This includes one 30-second and one 60-second version on the same subject and 800 duplicates at \$10 each.)

Radio: \$7,000 per version (This includes one 30-second and one 60-second version on the same subject and 8,000 duplicates at 50¢ each.)

Billboard: \$50,000 per version (1,000 locations)

Poster: \$6,000 per version (20,000 copies)

Distribution quantities and costs are as follows:

Print (Newspaper): 1,700 daily and approximately 5,300 weekly:

\$3,500 postage and handling

Print (Magazine): 2,000 consumer and trade: \$1,000 postage and handling

Television: 800 stations: \$2,000 postage and handling

Radio: 8,000 stations: \$8,000 postage and handling

Billboard: 1,000 (to be selected and distributed by American Outdoor Advertising Association)

Poster: 20,000 (to all school boards and other related entities):
\$6,000 postage and handling

Cost Breakdown by Phase:

Phase I	(May 1, 1985 - August 31, 1985):	\$ 36,000
Phase II	(September 1, 1985 - December 31, 1985):	126,000
Phase III	(January 1, 1986 - May 31, 1986):	126,000

Cost breakdown by media (total number per individual version cost):

Print (Newspaper):	\$21,000 (3 @ \$7,000)
Print (Magazine):	6,000 (3 @ \$2,000)
Television:	80,000 (2 @ \$40,000)
Radio:	45,000 (3 @ \$15,000)
Billboard:	100,000 (2 @ \$50,000)
Poster:	36,000 (3 @ \$12,000) @ \$12,000

Total projected campaign budget - May 1, 1985 - May 31, 1986: \$288,000

*As with the nationwide toll free telephone school safety counseling program, planning for the advertising campaign element of NATIONAL SCHOOL WATCH is based on a pre-agreement budget augmentation to cover additional funds for staff, space, equipment, materials, supplies, (800) telephones and other lines, computer terminals, and the campaign's production costs in the amount of between \$750,000 and \$850,000, for the period May 1, 1985 through June 15, 1986.

Senator SPECTER. Senator McConnell.

Senator McCONNELL. What is the funding level for the Attorney General's Advisory Board you mentioned earlier?

Mr. REGNERY. I believe the title the statute uses is the Attorney General's Advisory Board on Missing Children.

Senator McCONNELL. What is the funding level for that?

Mr. REGNERY. The funding level for the entire process is \$4 million. That is what Congress appropriated to our office for both the activity of the Board, which would only be a very, very small part of that, of course, although I may be corrected. We may pay for the Board out of our administrative funds. I believe we do. So the entire \$4 million would be available to the country in terms of doing things for missing children.

Senator McCONNELL. Your office staffs the Board?

Mr. REGNERY. Yes, we do.

Senator McCONNELL. How do you see its mission and when is it going to conclude? Is there any sunset provision in here?

Mr. REGNERY. No; I do not believe there is a sunset provision in the statute except the statute expires in 4 years or something. Primarily what the Board is equipped to do is to advise the Attorney General and my office and the Office of Justice Programs and other places in the department that are involved in missing children's activities really on what the community thinks about what needs to be done. The Board includes one mother of a stranger abducted child. It includes a couple of police officers, two doctors, a couple of elected State officials, and then two or three other citizens and I guess, as I have looked at these boards over the years, I think that the qualifications of those people are the best I have ever seen. It is an astounding group of people who really have a good deal of knowledge about all aspects of missing children.

The first meeting we had several weeks ago was extremely valuable to us in hearing from them what sorts of things we should do. The Board is advisory by statute and so they simply do advise rather than actually make decisions on programs. But based on their expertise and their knowledge, I can say unequivocally we will certainly put a great deal of faith in what they advise us to do.

Senator McCONNELL. How is that board going to relate to the Missing Children's Center and, frankly, how does your office relate to the Missing Children's Center?

Mr. REGNERY. We funded—the Missing Children's Center is a 501(c) organization which we initially funded with the first year grant, and the money we used was discretionary money before the Missing Children's Act was passed, and so that the \$4 million that we have available in fiscal year 1985 will not include money going to the National Missing Children's Center. I guess it will in 1986, but they are funded through the remainder of 1985.

What our relationship is, first of all, to the Center is oversight as we would be with any other grantee. We have a very close working relationship with them. I would guess that one of our staff members is over there probably every day. Somebody from their office is probably in our office at least once or twice a week. We keep constant tabs on what they are doing, basically as we do with other grantees of that sort.

In terms of the Advisory Board, they will advise us on the grant-making activities which basically dictate what the Missing Children's Center does.

In addition to our Advisory Board, the National Missing Children's Center, which is a nonprofit corporation, has its own Board of Directors, which I believe is a group of 15 people which is separate from, as I say, the Advisory Board, and they basically run that corporation.

Senator McCONNELL. So you view it as a grantor-grantee relationship?

Mr. REGNERY. That is right.

Senator McCONNELL. How are they coming along over there? Can you give me some rundown? You mentioned the number of calls after "Adam" but I am more interested in a day-to-day basis.

Mr. REGNERY. Yes; I have—

Senator McCONNELL. Statistics

Mr. REGNERY. I have a quarterly progress report which is dated April 10, which I would be happy to submit for the record.

Basically, this outlines what they have done. Just as an indication, since the Center was started, they have received a total of 21,890 calls on the hotline, on the 800 number. They have assisted in the recovery of 839 children.

Senator SPECTER. How many?

Mr. REGNERY. 839. Of those, there were 134 of them who were parental kidnappings; 685 were what they call voluntarily missing, who were children who run away from home. Nine more were stranger abducted and 11 were "others" whatever that other is. Basically, what they are doing is carrying out what the Missing Children's Act, in some cases anyway, told us to do, that is, the hotline, assisting law enforcement, assisting parents' organizations, things like that. I think they are very well equipped to do that. Obviously, it is a good-sized organization with some 30, 35 staff members. As with any other organization, it has had some growing pains, but they have produced some very good materials. There is a booklet they have put out which is going to State legislators, which is a complete packet of recommended State statutes which have been passed in one State or another but which the Center believes to be beneficial to children generally in cases of missing or exploited children.

They have put together a booklet on parental kidnaping, assisting people in how to deal with those cases. They have given assistance to—I am not sure how many different law-enforcement agencies, but a great many. In addition to that, of course, it is tied into the NCI, National Crime Information Center's system of the FBI, their computer, so when a call comes into the Center, it is immediately put into the computer system of the FBI.

It is also used as a national law enforcement telecommunications system, which is the system that allows them to communicate with any law enforcement agency in the country, either with computerized materials or by verbal communications.

When a sighting comes in of a missing child, it is immediately relayed to the pertinent law-enforcement agency. Apparently, if there were 839 children who have been recovered, it has been, I think, very successful.

[Center for missing exploited children quarterly report follows:]



U. S. DEPARTMENT OF JUSTICE
Office of Justice Assistance, Research, and Statistics

CATEGORICAL GRANT PROGRESS REPORT

This recordkeeping requirement falls under the authority of P.L. 96-511, Sec. 3507. The information provided will be used by grant monitors to track grant progress. No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing laws and regulations (OMB Circulars A-102 and A-110, Omnibus Crime Control and Safe Streets Act of 1968, as amended, Juvenile Justice and Delinquency Prevention Act of 1974, as amended, and the Justice System Improvement Act of 1979, as amended).

1. GRANTEE The National Center on Missing and Exploited Children, Inc.		2. AGENCY GRANT NUMBER 84-JS-AX-K016	3. REPORT NO. 4
4. IMPLEMENTING SUBGRANTEE Same as above.		5. REPORTING PERIOD (Dates) FROM: January 1, 1985 TO: March 31, 1985	
6. SHORT TITLE OF PROJECT Same as above.	7. GRANT AMOUNT \$3,304, 613.	8. TYPE OF REPORT ☒ REGULAR ☐ FINAL REPORT ☐ SPECIAL REQUEST	
9. NAME AND TITLE OF PROJECT DIRECTOR John B. Rabun, Jr. Deputy Director	10. SIGNATURE OF PROJECT DIRECTOR <i>John B. Rabun, Jr.</i>	11. DATE OF REPORT April 10, 1985	
12. COMMENCE REPORT HERE (Continue on other pages)			

Please see attached Quarterly Progress Report for the fourth quarter of operations of the National Center for Missing and Exploited Children.



NATIONAL
CENTER FOR
MISSING
& EXPLOITED
CHILDREN

1835 K Street, N.W. • Suite 700 • Washington, D.C. 20006
202/634-9821

APRIL 10, 1985

QUARTERLY PROGRESS REPORT - SUMMARY
January 1, 1985 - March 31, 1985

84-JS-AX-K016

By: John B. Rabun, Deputy Director *JBR*

SUMMARY DATA:

A. STATE LEGISLATURES: Efforts in educating legislatures about progressive child protection legislation continued in 30 states plus Canada (major efforts underlined): FL, IA, KY, VA, SC, MD, RI, AK, AR, AL, IL, TX, NY, NJ, CA, WY, OH, PA, CO, OR, MA, MN, DC, NE, GA, NC, MO, AZ, ME, and MI. The major fulcrum in the legislative efforts of the National Center is the Selected State Legislation handbook.

B. HOTLINE: The 800 Hotline now operates Monday through Friday from 9am-3am EST and Saturday/Sunday from 9am-9pm EST. (1-800-843-5678) Expansion to full 24 hour, 7 days/week coverage is now being carefully studied.

During the fourth quarter of operations the Hotline received 14,720 calls and now is averaging over 200 calls per day.

Type Calls	All Previous 10/19-12/31/84	4th Quarter	TOTALS	ASSISTED Recovery
Informational	4,905	11,496	16,401	-
SIGHTINGS	492	1,604	2,096	-
Parental Kidnappings	948	813	1,761	134
Voluntary Missings	602	614	1,216	685
Stranger Abductions	53	42	95	9
Other Missings	79	52	131	11
Sexual Exploitation	91	99	190	-
TOTAL HOTLINE CALLS:	7,170	14,720	21,890	839

C. COLLATERALS/PUBLICATIONS: Since its formal White House opening on June 13, 1984, the National Center has designed, written, edited and published the following collaterals/publications:

General Information Brochure (6/84)	75,000	(# \$.27)
Selected State Legislation (1/85)	15,000	(# \$.70, donated)
InfoFolders (formal presentations-1/85)	5,000	(# \$.60)
Summary of N.S.L. (2/85)	12,000	(# \$.25)
Stranger Abducted Children Directory (11/84 & 2/85 to 10,000 law enforcement agencies)	50,000	(N.C.S.C. donated)

Parental Kidnapping (3/85) 5,000 (@ \$1.40)
 4"sq. 800/Logo adhesive Labels(3/85) 10,000 (Nova Labels donated)
 Directory (of groups) (4/85) 1,000 (@ \$6.00)
 Training Certificates (4/85) 9,000 (@ \$.108)
 Correspondingly, 20,000+ packets (18,000+ pieces by mail, plus 2,000+ by OJJDP
 franked envelopes) have been mailed during the same 10 months.
 "Prevention Tips for Parents" brochure will be published by the end
 of April, 1985, through the sponsorship of Bekins, Inc..

D. TECHNICAL ASSISTANCE TO CASE INVESTIGATIONS: The Technical Advisors
 for the National Center have handled the following number of cases since the
 beginning of the Cooperative Agreement.

Type Cases	3 Previous Quarters	Fourth Quarter	TOTALS
Voluntarily Missing Cases	671.	522.	1,193.
Parental Kidnapping Cases	1,182.	153.	2,006.
Stranger Abduction Cases	111.	31.	142.
Other Types Missing Cases		16.	16.
***TOTAL CASES - MISSING	1,964.	722.	2,686.
Child Pornography Cases	20.	19.	39.
Child Prostitution Cases	17.	48.	65.
Child Sex-Ring Cases	30.	16.	46.
Inter-Family Sex Cases	96.	47.	143.
***TOTAL CASES - EXPLOITED	163.	130.	293.
***TOTAL TECHNICAL ASSISTANCE CASES	2,127.	852.	2,979.<<<

TOTAL TECHNICAL ASSISTANCE CASES: 2,979.
 1st Quarter = 104, 2nd Quarter = 326, 3rd Quarter = 1,697, 4th Quarter = 852.

E. LAW ENFORCEMENT TRAINING: From May, 1984, through March, 1985, the
 Deputy Director, Chief Technical Advisor, a Technical Advisor, and 3 Board
 Member/Trainers provided technical assistance orientation/training for 6,015
 law enforcement and criminal/juvenile justice personnel in child sexual exploi-
 tation and missing child case detection, identification, and investigation
 (usually in 1- day sessions).

Jacksonville FL Sheriff's Dept. (at NCMC) = 3 personnel
 International Assn. of Chiefs of Police, Atlanta GA = 25 personnel
 NCIC Task Force, CA = 15 personnel (Mr. Ruffino)
 Eastern States Vice Officers Assn., PA = 300 personnel
 Arkansas Attorney General's Conf., Little Rock AR = 150 personnel
 Southeast Symposium on Child Sexual Abuse, AL = 500 personnel
 (Insp. Goldstein & Mr. Rabun)
 Boston FBI/Local Police Symposium, MA = 75 personnel
 Nat'l Assn. State Dir. Law Enf. Trng., Quantico VA = 100 personnel
 Am. College Pathologists/Miss. Child Comm., Chicago IL = 15 personnel
 National Crime Prevention Institute, Louisville KY = 125 personnel
 Toledo OH Police Training Academy = 225 personnel (Lt. Spaulding)
 Harpers Ferry WV Regn. Police Trng. = 50 personnel (Off. Derbyshire)
 Juvenile Services Assn. Convention, Baltimore MD = 200 personnel
 KY Law Enforcement Council (statewide in 5 sessions) = 500 personnel
 (Lt. Spaulding, all in 5 day sessions)
 Baltimore MD Law Enf. Trng. = 250 personnel (Off. Derbyshire)
 VA Sheriffs' Assn. (2 sessions) = 60 personnel
 Miami/Dade FL Task Force Training = 65 personnel + 7 staff for the
 first new police/social work team per a D.H.H.S. grant to the National
 Assn. of Counties with T.A. by NCMC, Lt. Spaulding & Mr. Rabun)
 >>>>>TOTAL T.A. ORIENTATION/TRAINING (4th Quarter): 2,665.<<<<<

Technical assistance orientation/training sessions for the fifth
 quarter of operations are planned for NV, TX, NY, MD, VA, AZ, MA, and DC.

I. Program Status:

A. PERSONNEL: During the fourth quarter of operations, the National
 Center operated at full staff of 35 for the first time. There were one
 termination and two resignations of 800 Operators during the fourth quarter;
 one was replaced immediately. The Media Relations Specialist resigned due to
 an illness in the immediate family and the Chief Technical Advisor resumed his
 position with the Baltimore Co. Police Dept.. Both positions have been filled
 with top calibre, seasoned professionals (from approximately 300 candidates).

On March 20, 1985, Mr. Heck, our OJJDP Grant Manager, approved a
 request to convert the budget line item of mailing house contract into an
 in-house staff position of Mailing/Computer Specialist. This staff person is
 already cross-trained as an extra 800 Operator for emergencies.

There are two positions unfilled at this time (both 800 Operators)

with no expectations of other vacancies. The Deputy Director and QJJDP Grant Manager are exploring the feasibility of a part-time technical assistance Training Coordinator, upgrading the compensation levels for 800 Operators for compatibility, and going into 24 hour coverage for the 800 Hotline.

The revised NCMEC Affirmative Action and Equal Opportunity Plan was completed on March 18, 1985. The Acacia Group "Trusteed Prototype Money Purchase Pension Plan" for NCMEC was revised per new IRS rules on March 26, 1985. New salary/compensation steps for all NCMEC classifications were completed per "cost of living increases" awarded federal employees April, 1984, effective April 2, 1985, per the Cooperative Agreement.

B. FINANCIAL MANAGEMENT: During the fourth quarter of operations, the National Center began a process designed to streamline the budgetary and consultant contracts oversight. The entire Business Office was transferred under the supervision of the Administrator including management of all contracts. All Cooperative Agreement requirements and functions with the U.S. Justice Department remain with the Deputy Director. This duality of control will provide additional supervision of all expenditures and allow the Deputy Director to have more time to spend in the delivery process of technical assistance. Within four working days after the close of a month's accounting period, all Management Team members (4) now have financial statements and budgetary data through the previous month. Implementation of a fully automated payroll and check writing system is under way and will be completed this quarter as will revisions to insurance policies for full coverage.

The Business Manager will submit to the Management Team and the QJJDP Grant Manager by the end of April, 1985, line-item budget analyses and recommendations for grant adjustments per program categories. By the end of May, 1985, any necessary Grant Amendment Notices will be filed with the QJJDP Grant Manager and Comptroller.

I. C. STATE LEGISLATURES & STATE TASK FORCES: The Deputy Director and a Technical Advisor continued to provide consultation for the VA Governor's Task Force on Missing & Exploited Children until its closure during March, 1985. The ex-Chief Technical Advisor (now volunteer Trainer) continues to provide same for the MD Governor's Task Force on Missing & Exploited Children. The Deputy Director and a Board Member/Trainer continue to provide technical assistance to the NY Attorney General and the NY Missing & Exploited Children Prevention Board.

Efforts in educating legislatures about progressive child protection legislation continued in 30 states plus Canada (major efforts underlined): FL, IA, KY, VA, SC, MD, RI, AK, AR, AL, IL, TX, NY, NJ, CA, WY, OH, PA, CO, OR, MA, MN, DC, NE, GA, NC, MO, AZ, ME, and MI. The major fulcrum in the legislative efforts of the National Center include Selected State Legislation handbook mailings, the Executive Director traveling to the various states for on-site lectures, and the NCMEC Legislative Program Director providing review/analysis/critique and assistance with drafting of legislation as well as on-site technical assistance to the various states. A coordinated comprehensive legislative strategy is being formulated including a network of citizens for follow up and monitoring of legislative efforts and issue analysis "talking papers."

D. MAJOR ADDRESSES/TRAINING EVENTS: The Executive Director, and/or Deputy Director, and/or Special Consultant, and/or Chief Technical Advisor have given addresses or provided orientation training sessions for the following major groups with large numbers of attendees.

Southeast Symposium on Child Sexual Abuse, Huntsville, AL
Boys Clubs of America, NY, NY
MD S.L.A.M., Baltimore, MD
MD Juvenile Services Administration, Baltimore, MD
SD State PTA, Aberdeen, SD
Canadian Optimists Clubs, Canada
Howell Co. PTA, Howell, NJ & #5 Elementary School PTA, NJ
PA Legislators' Conf., PA & Western Roundtable, Denver, CO
Women Against Rape Conf., Cherry Hill, NJ
AL Governor's Conf., Montgomery, AL
Griffith Foundation, Denver, CO
AK Juvenile Crime Association, Anchorage, AK
FL Dept. of Health & Rehabilitative Services, Sarasota, FL
Trak 1, Boston, MA & Nicky's Restaurant, Detroit, MI
MN State PTA, St. Paul, MN
Lake Hospital & Palm Beach Jr. College Conf., Lake Worth, FL
WY Legislators' Conf., Cheyenne, WY
Larimer Co. Sheriff's Dept. Conf., Ft. Collins, CO
National Governors' Conference, Washington, DC
Omaha Co. PTA Council, Omaha, NE
Atlanta Counties Schools PTOS, Atlanta, GA
National PTA - Legislative Conference, Washington, DC
NC Justice Academy, Raleigh, NC
Southeastern Network of Runaway Youth & Families, Atlanta, GA
NY State PTA Lobbying Day, Albany, NY
AmVets, National Executive Committee, Washington, DC
VA Association of Social Workers, McLean, VA

- I. D. AL State Legislators' Conf., Montgomery, AL
 GA Cooperative Extension, Atlanta, GA
 Paris Island Marine Corps Conf., Paris Island, SC
 Montgomery Co. Commission on Children, MD
 VA House Committee on Militia and Police, Richmond, VA
 The Children's Civil Rights Fund, Inc., CA
 National Youth Collaboration Retreat, CA
 MD House Judiciary Committee, Baltimore, MD
 National Association of Counties, Washington, DC

There were also numerous interviews for media/press from all over the country and tapings for various TV specials.

II. Major Problem Areas:

A. NATIONAL CONFERENCE: The PR/management consultants to the National Center have recommended that this conference be set aside until 1986.

B. 800 HOTLINE: Consideration of operating on a full 24 hours per day, 7 days per week schedule is now well under way, as well as upgrading of 800 Operators' compensation levels. Analysis and proposals will be submitted to the OJJDP Grant Manager during April, 1985. Already, the 800 Hotline is considered a national model of services delivery and information coordination; now, attention turns to the breadth of operations.

C. TECHNICAL ASSISTANCE TRAINING: Consideration of a new part-time position for a T.A. Training Coordinator (that could eventually become full-time) is under full study. Analysis is completed and a proposal is being drafted for a new position to heavily impact and market local law enforcement.

D. ASSOCIATES (volunteers): Initial study and analysis is now being done as to need and function for a Coordinator of Associates as a full-time position. Such would have great impact on the networking for the legislative program and support of parents of missing children throughout the states.

III. Significant Activity:

A. COMPUTER SUPPORT: During the third quarter of operations the micro-computer system for the National System continued to be further networked and expanded in scope. Acquisitions included another high speed printer for the production of mailing labels (all done in house) and a 20meg hard disk for storage of 800 Hotline data and analysis.

B. HOTLINE: The 800 Hotline now operates Monday through Friday from 9am-3am EST and Saturday/Sunday from 9am-9pm EST. The Hotline number (1-800-843-5678) is now gaining national recognition and is in wide use by all press/media. The Hotline is now considered a national model of services delivery and information coordination; expansion to 24 hour, 7 days/week coverage is now being carefully studied for future proposals to OJJDP per suggestions of the OJJDP Deputy Administrator.

III. B. During the fourth quarter of operations the Hotline received 14,720 calls now averaging at 200 calls per day.

Type Calls	All Previous		4th Quarter	TOTALS	ASSISTED Recovery
	10/19-12/31/84				
Informational	4,903		11,496	16,401	-
SIGHTINGS	492		1,604	2,096	-
Parental kidnappings	948		813	1,761	114
Voluntary Missings	602		614	1,216	685
Stranger Abductions	53		42	95	9
Other Missings	79		52	131	11
Sexual Exploitation	91		99	190	-
TOTAL HOTLINE CALLS:	7,170		14,720	21,890	839

C. PARENTAL KIDNAPPING BOOKLET: On March 7, 1985, the National Center released the Parental Kidnapping handbook and mailed out almost 1,600 copies to requesting parents, all the parental support groups, and all the FBI Field Offices. The mailing included an introductory letter from Alfred S. Regnery, Administrator, OJJDP, who provided OJJDP franked envelopes for the mailing at no cost to NCMEC. This handbook was drafted by Pat Hoff under contract to the A. B. A. National Legal Center for Child Advocacy & Protection, reviewed by Kathy Rosenthal of Children's Rights of America, and edited by a NCMEC Technical Advisor and Legislative Program Director.

D. CHILD MOLESTATION FILM: This original one-hour film for TV on child molestation is being prepared by the Linda Otto Associates in association with the Alan Landsburg Productions and is currently under a very active filming schedule. Research for the project is completed and the contract is being monitored by the NCMEC Administrator.

E. DISTRIBUTION OF MISSING CHILD PICTURES: ABC-TV's Good Morning America continues to air each Friday morning 2 pictures of parentally abducted or stranger abducted children. Efforts using milk cartons, grocery shopping bags, mailing labels, collars on bottles, etc. have begun. The American Gas Assn. began this month to place 2 pictures of stranger abducted children (later, parentals) in the monthly billings of its utilities members and such will go into 54 million homes per month. Efforts are under way with K-Mart and Woolworth companies for national efforts. Other efforts are as follows:

SPONSOR	NO. or PLACEMENT
Good Morning America	2 photos @ Friday morning
National Education Assn.	20 photos in newsletter (2 million)
Coke Bottling Companies	around 2-liter bottle necks
Pepsi Bottling Companies	around 2-liter bottle necks
K-Mart	in photo packaging & posters
Woolworth	in all customer bags 7 posters
Trucking Firms (various)	on sides/back of trucks
Newspapers (various)	weekly in papers & magazines (Parade)
TV Stations (various)	airing pictures weekly
Groceries (various)	on shopping bags
Greyhound Bus Co.	posters in 2,124 terminals/agencies
AP Wireservices	3,800 national newspapers, 1 photo/day

Getting distribution of these photos is no longer problematic; now, the issue is the most beneficial sponsor with the largest audience and with the least taxing of the NCMEC support staff.

III. F. NATIONAL DIRECTORY & ACTION GROUPS: About 86 citizens' action groups (not for profit) were listed in the first edition of the Directory: Support Services and Resources for Missing and Exploited Children which was released on April 1, 1985. A Screening Committee of members of the Board of Directors has been set up to work with the Administrator to review future inclusions. Expected additions and/or revisions will be compiled for the second edition in about 6 months.

G. NEWSLETTER: The creation of a NCMEC Newsletter has had to lie dormant until major collaterals were published (as below in H.). The Administrator has decided to place this project inside NCMEC with the publications Specialist. The first issue will come out during the 5th quarter of operations. Thereafter, it should be on an every 6 months schedule.

H. COLLATERALS/PUBLICATIONS: Since its formal opening on June 13, 1984, the National Center has designed, written, edited and published the following collaterals/publications (each costing the NCMEC):

General Information Brochure	(6/84)	75,000	(\$.27)
Selected State Legislation	(1/85)	15,000	(\$.70, donated)
Loyofolders (formal presentations-1/85)		5,000	(\$.60)
Summary of S.S.L.	(2/85)	12,000	(\$.25)
Stranger Abducted Children Directory		50,000	(NCSC donated)
Parental Kidnapping	(3/85)	5,000	(\$ \$1.40)
Directory (of groups)	(4/85)	1,000	(\$ 36.00)
Training Certificates	(4/85)	9,000	(\$.08)

Correspondingly, 20,000+ packets (18,000+ pieces by mail, plus 2,000+ by OJDP franked envelopes) have been mailed during the same 10 months.

The second edition of the national Stranger Abducted Children Directory was published in late February, 1985, by the National Child Safety Council (at no cost to NCMEC) and sent out to over 19,000 law enforcement agencies. (The first edition was published 11/84.)

The Prevention Tips for Parents brochure will be published during April, 1985, through the sponsorship of Bekins Movers Companies and distributed nationwide in large quantities.

I. THE NATIONAL BOARD: The 15 member Board of Directors of the National Center on Missing & Exploited Children, Inc., met in the NCMEC offices on April 3, 1985, after a morning briefing at the Old Executive Office Building and an afternoon audience with the President of the United States. Plans now call for a White House Rose Garden ceremony on private sector, government partnership announcement with the Board in attendance on April 29, 1985. The Board will plan to meet on the full Sunday before the Rose Garden.

Board members Lt. Bill Spaulding, Insp. Seth Goldstein, Mr. Dick Ruffino, Prof. Kerry Rice, and Mr. Ernie Allen have assisted the National Center by addressing large public gatherings and/or training sessions for criminal/juvenile justice personnel during the 4th quarter. Ms. Kathy Rosenthal has assisted by editing and reviewing the final draft of the Parental Kidnapping handbook as did Mr. Howard Davidson.

J. TECHNICAL ASSISTANCE TO CASE INVESTIGATIONS: The Technical Advisors for the National Center have handled the following number of cases since the beginning of the Cooperative Agreement.

III. J.

Type Cases	3 Previous Quarters	Fourth Quarter	TOTALS
Voluntarily Missing Cases	671.	522.	1,193.
Parental Kidnapping Cases	1,182.	153.	2,006.
Stranger Abduction Cases	111.	31.	142.
Other-Types Missing Cases		16.	16.
***TOTAL CASES - MISSING	1,964.	722.	2,686.
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***TOTAL CASES - EXPLOITED	163.	130.	293.
>>>TOTAL TECHNICAL ASSISTANCE CASES	2,127.	852.	2,979.<<<

TOTAL TECHNICAL ASSISTANCE CASES: 2,979.

1st Quarter = 104, 2nd Quarter = 326, 3rd Quarter = 1,697, 4th Quarter = 852.

Current authorization to NCIC is still limited to juvenile Missing Persons Files and to Unidentified Persons Files although requests for access to Wanted Persons Files were forwarded on Nov. 6, 1984, and March 15, 1985. FBI-NCIC is supportive of the requests but such is stalled at the Office of Legal Counsel of main Justice. Until such can be approved, the ability of the T.A.s of the National Center to accommodate picture requests for parental kidnapping cases is very limited, extremely time consuming, and ineffective.

K. LAW ENFORCEMENT TRAINING: From May, 1984, through March, 1985, the Deputy Director and/or Chief Technical Advisor and/or a Technical Advisor and/or 1 Board Member/Trainers have provided technical assistance orientation /training for 6,015 law enforcement and criminal/juvenile justice personnel in child sexual exploitation and missing child case detection, identification, and investigation in 1-5 day sessions (usually 1- day sessions) as follows.

- Jacksonville FL Sheriff's Dept. (at NCMEC) = 1 personnel
- International Assn. of Chiefs of Police, Atlanta GA = 25 personnel
- NCIC Task Force, CA = 15 personnel (Mr. Ruffino)
- Eastern States Vice Officers Assn., PA = 300 personnel
- Arkansas Attorney General's Conf., Little Rock AR = 150 personnel
- Southeast Symposium on Child Sexual Abuse, AL = 500 personnel (Insp. Goldstein & Mr. Rabun)
- Boston FBI/Local Police Symposium, MA = 75 personnel
- Nat'l Assn. State Dir. Law Enf. Trng., Quantico VA = 100 personnel
- Am. College Pathologists/Miss. Child Comm., Chicago IL = 15 personnel
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- Toledo OH Police Training Academy = 225 personnel (Lt. Spaulding)
- Harpers Ferry WV Regn. Police Trng. = 50 personnel (Off. Derbyshire)
- Juvenile Services Assn. Convention, Baltimore MD = 200 personnel
- KY Law Enforcement Council (statewide in 5 sessions) = 500 personnel (Lt. Spaulding, all in 5 day sessions)
- Baltimore MD Law Enf. Trng. = 250 personnel (Off. Derbyshire)
- VA Sheriffs' Assn. (2 sessions) = 60 personnel
- Miami/Dade FL Task Force Training = 65 personnel + 7 staff for the first new police/social work team per a D.H.H.S. grant to the National Assn. of Counties with T.A. by NCMEC, Lt. Spaulding & Mr. Rabun

>>>>TOTAL T.A. ORIENTATION/TRAINING (4th Quarter): 2,665.<<<<<

III. K. Technical assistance orientation/training sessions for the fifth quarter of operations are planned for NV, TX, NY, MD, VA, KY, AZ, MA, and DC. Certificates of participation will be awarded to criminal justice professionals attending orientation/training sessions. "Orientation" will denote 1-2 day sessions and "Training" will denote 3-5 day sessions.

A consultant to the National Center, Mr. John Patterson, has been secured to develop the proposed training packages for use in POLICY I & II and the Sex Abuse Course for the Federal Law Enforcement Training Center out of Glynnco, GA. As well as curricula development, sound-synched slides and video taped presentations will be used by FLETC and NCMEC trainers on travel. Shortly, work will begin on curricula for creation of police/social work teams, state clearinghouses, etc.. The National Assn. of State Directors of Law Enforcement Training (NASOLET) are committed to sponsoring full nationwide accreditation for NCMEC training packages and are working closely with Board member, Lt. Spaulding, and the Deputy Director toward wider coverage of local police departments.

L. NATIONAL ABDUCTED CHILDREN DIRECTORY: Through the voluntary assistance of the National Child Safety Council (Jackson MI), the second edition of a National (stranger) Abducted Children Directory was released to over 19,000 law enforcement agencies nationwide during late February, 1985, at no costs to the National Center. The third edition is expected by late May.

M. MEDIA & PUBLIC AWARENESS: On typical days, the Media Office of the National Center receives about 30 calls from print and broadcast media reporters, editors and program and news directors from all over the country.

News releases or "Media Advisory" notices are now being issued to provide a more proactive role on the part of the National Center in telling its own story in place of simply "reacting" to requests from the media. Small community print and broadcast media are being supplied with information previously given the larger groups with excellent responses. Media representatives now have 24 hour access to the Media Relations Specialist who is also working with editors or senior writers for major magazines on long-range projects. The Media Office arranged an all-night radio talk show (NRVA from Richmond VA) that broadcasts to truck drivers in 16 states and Eastern Canada hosted by a Technical Advisor and the Deputy Director.

Public service announcements (PSAs) have been furnished by Embassy Productions using NBC Silver Spoons star Ricky Schroder. Additionally, the Executive Director advised on and edited for issue content the script of the April 7th Silver Spoons episode on parental kidnapping. It was the FIRST time any entertainment show has used the issue of parental kidnapping - and it was both sensitive and accurate!

Restoration of newspaper clipping services is being actively pursued to vastly expand the coverage of issue related incidents by the National Center staff. The Media Office also has begun fuller coverage of those children recovered with assistance rendered by the 800 Hotline and/or through assistance by Technical Advisors. Such will not only show a tremendous level of professional service delivery but also that the processes set up can and do work when fully utilized.

MISSING...Have You Seen This Person?, an NBC TV special set for 10-11pm on April 29, 1985, was filmed on April 7, 1985, in the offices of the National Center co-hosted by David and Meredith Baxter. Technical advice and interviews were provided by the Executive Director for the one-hour

III. M. documentary production of DBA Communications, Inc., in association with Bristol-Myers Company.

During the first week of April, WTTG-TV Channel 5 in the metropolitan Washington DC area aired a week-long special on missing children issues. Most of the production featured National Center operations and staff.

N. ASSOCIATES (Volunteers): Associates for the National Center have been recruited again and another 15 were trained in an all-day session on parental kidnapping on March 30, 1985. It was also used as a refresher course for the 7 Associates continuing with parental kidnapping work. During the fourth quarter of operations the Associates worked a total of 184 hours on parental kidnapping cases under the supervision of a Technical Advisor and were largely responsible for the acquisition of necessary files (50) on parental kidnapping cases for use on ADAM-1.

O. PROGRAMS & PUBLIC AWARENESS: Since the publication of the Directory, the Programs Specialist has received new materials on over 12 additional organizations (raising the overall number to 98). Great time is being expended in attempting stronger networking with all the organizations, developing curricula for school children in prevention, and trying to keep each of the organizations fully supplied with collaterals/publications of the National Center.

The Administrator is attempting to secure a positive tax exemption ruling from the U.S. Internal Revenue Service per parental expenditures incurred in the process of locating a missing child.

P. "ADAM-1": The following data represent a statistical breakout and analysis of the 60 pictures of missing children selected by the National Center for the roll-call of ADAM-1 on Monday, April 29, 1985, 8-10pm, nationwide on NBC-TV. (Furnished, April 1, 1985.)

Total Number: <u>60.</u>	Stranger Abducted: <u>33.</u> (55%)	Sex: M: <u>29.</u> (48%)
	Parental Kidnapped: <u>27.</u> (45%)	F: <u>31.</u> (52%)

Age Range: 1-6yrs.: <u>15.</u> (25%)	6-12yrs.: <u>33.</u> (55%)	12-18yrs.: <u>12.</u> (20%)
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Minority Representation: <u>13.</u> (22%)	
By Race: Asian: <u>1.</u>	Am. Indian: <u>1.</u>
Hispanic: <u>3.</u>	Black: <u>8.</u>
Caucasian: <u>47.</u>	

States Represented: Total: <u>31.</u>	CA: <u>9.</u>	OH: <u>5.</u>	NY: <u>5.</u>	TX: <u>5.</u>
	FL: <u>3.</u>	PA: <u>3.</u>		
	<u>2</u> Each: AL, AZ, MD, IL, & TN.			
	<u>1</u> Each: AK, CO, GA, IA, IN, KY, MA, MI, MN, MO, MT, NC, NH, NJ, NV, OR, SC, SD, WA, & WY.			

ALL cases entered into N.C.I.C. - Missing Persons File; 7(12%) with dentals.

6 (10%) Stranger Abduction cases have dental records entered.

1 (2%) Parental Abduction cases have dental records entered.

Abducting Parents: Father: 8. (30%) Mother: 18. (66%)
Grandfather: 1. (4%)

III. P. ALL pictures aired/published should be sequentially numbered (ON the picture itself) to enable accurate transmission of identifications to the Hotline and law enforcement agencies. Any child recovered by the morning of April 29th should have his/her picture DELETED from the roll-call or have the word "LOCATED" or "RECOVERED" placed across the face of the picture.

The protocol that follows was fully utilized by the Technical Advisors of the National Center for compilation and selection of missing children's pictures for the ADAM-J roll-call. It assisted in basing judgement in fact and making more consistent the way in which children were selected. Any deviation from this Protocol requires the approval of the Deputy Director of the National Center with justification supplied.

1. Children selected should represent a broad cross-spectrum of the entire country by sex, race, age and geographical region.

2. There MUST be a current N.C.I.C. Missing Person File entry on EACH CHILD selected.

3. There MUST be on file with the National Center ALL pertinent information considered standard for our 800 Hotline system to handle sightings particularly including an original photograph of the child and signed parental permission forms. (1-800-843-5678)

4. There MUST be on file with the National Center a Certified Copy of any custodial interference type Warrant against the non-custodial parental abductor in all such cases. Alternatives are an NLETS message from the law enforcement agency on the case stating the Warrant Number, name of the subject of the Warrant, and charge, or a letter/form stating same from the prosecutor or law enforcement officer and signed by same. (The ORI for NCIC/NLETS is DC001069W).

5. Priority should be given children never show on ADAM. Children selected having been shown on both of the previous airings of ADAM should receive lower priority.

6. Priority should be given to cases occurring since the last viewing of ADAM-2 or May 1, 1984, and to cases in which there has been substantial active leads and investigational contact with/through our 800 system and Technical Advisors. (Cases appearing to have investigational momentum wherein results are forthcoming should continue to be pro-actively assisted.)

The 800 Hotline will move for the last week of April and first week of May to Crystal City, VA, to the IHM Training Center wherein 40 800-WATS lines and 2 NCIC/NLETS terminals will be located for ADAM-3. Most Technical Advisor services will continue with normal office functions at the NCMEDC offices. The OJJDP Deputy Administrator is supporting this major effort.

IV. Assessment of Implementation Activity:

The above outlined activities of the National Center in its fourth quarter of operations reveal a picture of a new, innovative organization that has built a national reputation of expertise within its first year of operation. Although demands on staff and program have been all too fast and far too heavy, the National Center has demonstrated the commitment and ability to fulfill a wide plethora of needed and desired services for law enforcement,

IV. parents, and civic organizations while also trying to solidify the creation and implementation of internal organization and systems for functioning in a standardized fashion. With a full staff of 35 and with the possibility of additional staff where required to support program growth, the National Center will continue to "work against the odds in the climate of total bureaucracy" to provide the social change focus vital to its role and mission while working with and through the system to effect those changes necessary for the protection of children. The level of professionalism, dedication, and patience demonstrated by all staff within the National Center during its first year best tell the Center's story of commitment to kids. Given the support systems and freedom for actions necessary, the National Center will move into its second year like a child now ready to run wide open.

V. Program Revisions/Needs:

The Grant Manager from OJJDP, the Deputy Director, the Administrator, and the Business Manager are already well within the process to reevaluate the entire funding package and make any necessary Grant Adjustment Notices by mid-May. Proposals to consider a part-time T.A. Training Coordinator, 24 hour 800 Hotline services, and a Coordinator of Associates are being readied for study and possible implementation. The National Center now demonstrates the

axiom, "Nothing succeeds like success;" and we have been very successful in an extremely short period of time.

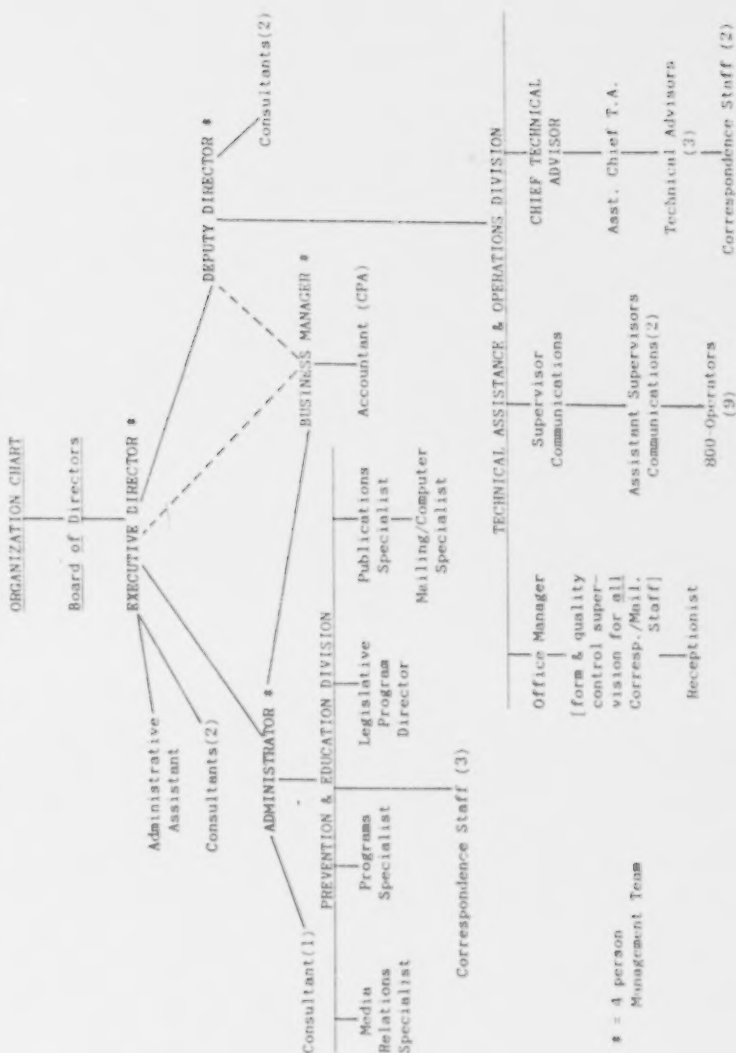
VI. Financial Status Report:

The "H-1" form required is attached hereto (original and 3 copies).

The National Center is within budgetary spending limitations at present. There will be a Grant Adjustment Notice filed with OJJDP by mid-May and possibly a supplemental request per additional responsibilities required. The National Center moved from the "draw-down" status to that of a "letter of credit" status during March, 1985, easing the work load for the Business Office.

Attachments: Organizational Chart (revised April, 1985)
Washington POST editorial, April 6, 1985

c.c.: Jay Howell, Executive Director, NCMEC
Leon West, Administrator, NCMEC
Ernest Allen, Chairman of the Board of Directors
Members, Board of Directors
Alan P. Dye, Attorney
Robert O. Heck, OJJDP Grant Manager
Supervisory/Professional Staff of the National Center



The Washington Post

AN INDEPENDENT NEWSPAPER

Searching for Children

IT IS NOW 10 years since Sheila and Katherine Lyon disappeared. The girls, then 12 and 10, were last seen at the Wheaton Plaza Shopping Center on the day before Easter 1975. For many months people in this community watched intently for the children, relayed tips and information to the police and prayed for their parents, John and Mary Lyon. But Sheila and Katherine have not been found. Though their disappearance seemed at the time to be unique and horrifying, we know now that this kind of tragedy is widespread.

The National Center for Missing and Exploited Children, established by Congress in 1984 to be a clearinghouse for information on youngsters who have disappeared, estimates that 1.5 million children are reported missing each year. Two-thirds are run-aways, and a large number of the others have been unlawfully taken by a parent to whom the courts have refused to award custody. The remainder, like the Lyon sisters, have apparently been abducted by strangers and are the most difficult to locate.

Public response to the search for missing children has been impressive. Photographs of children

have been displayed on milk cartons, shopping bags, trucks, toll booths and even by members of Congress appearing on cable newscasts. Recently, the National Center, in cooperation with the private National Child Safety Council and the American Gas Association, announced a campaign to involve utilities in this work. Each month, photos of two children will be enclosed with gas bills mailed out in 42 states. The same children will be featured in every area of the country, and the pictures will be sent directly to 30 million households. Other utilities will be asked to make a similar effort. Only those children thought to have been abducted by strangers will be sought through this program.

Whether you are celebrating Passover, Easter or just the beautiful spring weather this weekend, the joys of family gatherings are multiplied when children are part of the celebration. The importance of efforts by public and private organizations and individuals to find missing youngsters is apparent to anyone who has ever loved a child. That work is now organized, imaginative and effective. It deserves broad support.

Senator McCONNELL. Thank you, Mr. Chairman.

Senator SPECTER. Thank you, Senator McConnell.

Mr. Regnery, I had intended to ask you about the implementation of the missing children's legislation and I congratulate you on the work which OJJDP has done there. I think that is a bright chapter in what we have done in the course of the last 4 years. This subcommittee has been actively involved, with the cooperation of many other Senators and House Members, Senator Hawkins, a notable leader in that effort, in bringing the Missing Children's Act into operation.

Mr. REGNERY. I appreciate the support that has come from the Senate on that, Senator.

Senator SPECTER. I think the work that has been done there is very commendable.

Senator Metzenbaum, if you would like to continue with your questions now, I think I will return to this line of questioning during the next round.

Senator METZENBAUM. Do you think you can trust me on my own? Do you think I will get out of order? Go ahead, go.

Senator SPECTER. I am sure as to both of those questions.

Senator METZENBAUM [now presiding]. Mr. Regnery, I do not know if this is an accurate report, but we have been told that the Pepperdine vice president told the staff that Mr. Nicholson was being replaced or was being placed on leave, excuse me, and was being urged to seek personal counseling; and the vice president acknowledged or apologized to the staff for having had to work under Nicholson. I only give you a report. I do not know the accuracy of this report.

Mr. REGNERY. Can I ask where the report is from?

Senator METZENBAUM. It was a call that came to our office and I cannot give you the name and, therefore, I do not think it is fair for Mr. Nicholson to be negatively represented by reason of this comment, and I am only raising it to ask if you know if that is factually correct.

Mr. REGNERY. I have no idea.

Senator METZENBAUM. Then I would indicate publicly that I do not consider that to be a basis in fact because I have no way of confirming it.

Mr. REGNERY. If it is the same vice president of Pepperdine I talk to regularly, I believe he has absolute faith in Mr. Nicholson. It may be a different vice president; but if it is the same one, I suspect it is wrong.

Senator METZENBAUM. Let me ask you this. Do you know whether there was an effort at Pepperdine to either fire or place Mr. Nicholson on leave or to terminate his services?

Mr. REGNERY. They did place him on administrative leave, as I mentioned in response to Senator Specter's question, in order to sift through basically the staff dissatisfaction that existed. In doing so, he was placed on leave with pay. He had a lot of different things that he was doing for the Center and continued to do them, but not in the office.

Senator METZENBAUM. And did you personally then intercede in connection with this matter and, as a consequence, Nicholson's

leave was brought to a conclusion and he remained in full status at the staff?

Mr. REGNERY. No. He is still on leave, I believe. I did not intercede. I talked to Pepperdine many times about it, and I told them basically that I had faith in Mr. Nicholson, but it was totally up to them. They were the grantee and they were the ones that had to make it work and they were the ones that had to call the shots.

Senator METZENBAUM. Did you tell them that they could fire him at any time they wanted?

Mr. REGNERY. The issue never came up. Basically, I told them what I just told you, that they had to make the final decision as to who was going to run the Center.

Senator METZENBAUM. And they could fire him?

Mr. REGNERY. They certainly have that ability, sure. They are the grantee.

Senator METZENBAUM. Last year, you promised to provide the committee with an explanation of why other candidates besides Pepperdine were rejected for the School Safety Program. It is another instance in which you did not provide the committee with that which you promised it, and you also promised a copy of the Pepperdine grant proposal and the list of experts who evaluated it. This, too, was not received by the committee. Why not?

Mr. REGNERY. Again, Senator, I will take responsibility for it, but I cannot tell you why it was not. As I say, after these hearings we always have a rather significant submission of things that we make that is carefully checked over based on the requests that we get, and it may have been an oversight on my part or somebody else's.

Do you know if the staff ever alerted us to the fact that these things were not received?

Senator METZENBAUM. No, but, you know, it seems to me that when I make a public promise, that it is my responsibility and no one else's. Nobody else has to come back and remind me I made the promise. I have just given you two or three, I am not sure how many, instances in which you made promises to this staff. The staff has oversight responsibility, and for you to say, did the staff remind you—

Mr. REGNERY. We either overlooked it or if it came up and got lost, I do not have any idea why you did not get those many things. It is highly unusual because, as I say, we check those, that stuff very carefully that comes up.

Senator METZENBAUM. I just learned that, indeed, your staff was called three or four times to remind them and we still did not get the material.

Now, frankly, I think that this committee is deserving of the respect that it is entitled to because we think that we have oversight authority on your program and we do not want to do harm to the program, but we sure in the devil expect you to live up to your commitments to this committee and not have to be bugging you to do it.

In this instance, the committee did do that. They did advise you and we still did not get it. We did not get the material in connection with Dr. Reisman and we did not get the material in connection with Mr. Nicholson.

Now, what does this committee have to do in order to convince you that when you make a promise to us we expect you to live up to that promise?

Mr. REGNERY. Well, I am certainly well convinced of that, Senator, and I apologize if you did not get some materials. I will look into our procedures to find out why you did not. I certainly do respect your oversight capabilities and having been a staff member of this committee for 3 years myself, I recognize very well what you are up against in terms of executive branch agencies.

I was on the other side of that many times. I will take responsibility, though, to see that we do certainly tighten up those procedures to see you get exactly what we promise you should get.

Senator METZENBAUM. Mr. Regnery, tell me how you complied with the 1984 statute mandating competitive bidding in the Office of Juvenile Justice grants. What is the percentage of Office of Juvenile Justice grants in the last year which were awarded on a noncompetitive basis?

Mr. REGNERY. Well, since the beginning of fiscal year 1985, which is when the competitive bidding process came into effect, my staff tells me we have competed—all grants have been awarded competitively except one, which came under an exception in the statute for training.

Now, there are various exceptions in the statute, including, for example, continuation grants. If a grant—if we have a 2- or 3-year project period on a grant, that was initially given, say, in 1984, and it calls for a renewal of that grant in 1985 and 1986, we are bound by law to make that grant if things are done properly. In those cases, of course, those grants would not have been awarded competitively. Basically, all new grants, as called for by the statute either have been awarded competitively or they are in the process, and the competitive process takes a considerable length of time by the time you develop the Request for Proposal, you publish it in the Federal Register; the requests come in and so on and so forth.

Senator METZENBAUM. My understanding is that a union representative indicated that many Office of Juvenile Justice career employees, that 15 percent of the professional work force, 8 supervisory rank staffers, have few work assignments and little supervisory responsibility. Notwithstanding that representation on the part of the union representatives, it is my understanding you appointed an additional schedule C manager to direct OJJ Programs. True or false?

Mr. REGNERY. I am not sure what you asked me is true or false. There are a lot of different questions—

Senator METZENBAUM. Are you aware of the union representative indicating that there were few work assignments for eight supervisory rank staffers?

Mr. REGNERY. Yes.

Senator METZENBAUM. Did you appoint an additional schedule C manager to direct OJJ Programs when you had eight supervisory staffers who very well might have accepted that same responsibility?

Mr. REGNERY. We have, I believe, five schedule C people in my office. Three of us are supervisory—no, maybe there are six. Two

are clerical and one is my special assistant who probably would fall under neither category.

Senator METZENBAUM. Let me give you the last question and I guess I am going to have to run also.

I understand the new Office of Juvenile Justice regulations would permit States to place status offenders, abused offenders, in staff secure facilities for unstated periods of time. I do not have to tell you, because I am sure you know that the Senate passed legislation last year permitting limited use of such facilities in special situations when necessary for juvenile treatment. Even this step was dropped in conference.

We were persuaded that insufficient information about such facilities was known. As a matter of fact, I joined Senator Specter and Senator Denton in requesting the GAO study of these facilities.

Do you not think that possibly you are overstepping your authority by permitting States to use these facilities which may, indeed, be devices to evade the Congressional mandate that truants and runaways not be jailed?

Mr. REGNERY. No. I am not abusing my discretion, Senator. In fact, the general counsel advises me I have no discretion to do anything other than what I did in the regulations, because the regulations exactly track the statute and just to give you a very brief thumbnail sketch history, prior to 1980, our regulations did preclude us from holding such people in staff secure facilities. The statute was then changed by Congress to specifically state that, to define a secure facility as one that was secured by reason of construction fixtures impeding the movement of the inhabitant of that facility.

The regulations were then changed in 1981 pursuant to that statutory change to reflect that difference. All we did in the new regulations was to say that, in fact, construction fixtures mean exactly what they say; construction fixtures and if—

Senator METZENBAUM. I have to go to the floor.

Mr. REGNERY. No, anyway, we are not in abuse of our discretion.

Senator METZENBAUM. The hearing will stand in recess until 1, 2, or 3 minutes until Senator Specter returns.

[Recess.]

Senator SPECTER [now presiding]. The hearing will be reconvened.

Mr. Regnery, there are a great many subjects of importance that I would like to have your responses on; but since it is now 11:38 and we are having a session on the budget shortly after noon, when the Republican Senators are meeting, it is not possible to ask them all on the record at this time. So I would like to submit a series of them for the record.

Mr. REGNERY. Fine.

Senator SPECTER. One matter which I would ask you to pay particular note to, although I know you will, generally relates to a letter from the President of Local 2830 of the American Federation of State, County, and Municipal Employees, Mr. Stu Smith, raising some questions about the operation of OJJDP, and I will send on to you the full letter and the full context.

Mr. REGNERY. I have the letter, Senator.

Senator SPECTER. Then I would appreciate it if you would give me a response to that.

There are questions concerning a variety of subjects which we will submit for the record. You obviously have an active unit. It may be necessary to have a continuation of the hearing, but I do want to turn to Dr. Reisman at this time because her testimony is important as well and is a matter of substantial public interest at this moment.

[Responses of Mr. Regnery to written questions from Senator Specter and Senator Denton follow:]

RESPONSES OF MR. REGNERY TO WRITTEN QUESTIONS
FROM SENATOR SPECTER

1. Q. There are persistent rumors that the current Administrator of the Office of Juvenile Justice and Delinquency Prevention will be resigning. This is an important matter because it creates uncertainty at an important juncture in the life of the program. Will Alfred S. Regnery continue as Administrator for the next 19 months?

A. Mr. Regnery has a policy that he does not comment on rumors.

2. Q. In his introduction to an issue of the Juvenile Justice Bulletin entitled "Runaway Children and the Juvenile Justice and Delinquency Prevention Act: What Is the Impact?" Mr. Regnery wrote:

The current attitude of the juvenile justice system towards runaways can be described as one of apathy — more specifically, apathy by statute. The fault lies behind the well-intentioned passage of the Juvenile Justice and Delinquency Prevention Act of 1974. In an effort to correct the ills of a juvenile justice system which incarcerated youth convicted of minor offenses, Congress effectively ties the hands of juvenile authorities, leaving runaways, quite literally, out in the cold.

Are you familiar with Title III of the Juvenile Justice and Delinquency Prevention Act, which provides federally-assisted programs and shelters for runaways and homeless youth? Do not the authority of the Runaway and Homeless Youth Act, the flexibility of the OJJDP formula grant program, the Administrator's annual discretionary funding and the ability of local authorities to hold juveniles in appropriate settings for limited periods undercut Regnery's statement? How does the enactment of the Missing Children's Assistance Act as Title IV of the Juvenile Justice and Delinquency Prevention Act, which focuses additional resources on missing and exploited children, affect your statement?

- A. Shelters funded under Title III of the JJDP Act help with the problem addressed in the recent Juvenile Justice Bulletin, but there are many children who still fall through the cracks, particularly those who elect not to enter the shelters. In many states, statutes exist which go beyond the mandates of the JJDP Act, virtually prohibiting the law enforcement system from assisting many children; in such states the problem is particularly acute.

The Missing Children's Assistance Act may help to some extent, at least as far as the symptoms of the problem are concerned. It will do little, however, to alleviate the problem itself, i.e. the growing number of children who run away from home in the first place.

3. Q. Section 204 of the Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. Sec. 5616(a)(5), requires the Administrator to submit to the President and the Congress an annual report by December 31 of each year. The report for fiscal year 1984 is now long overdue. Why have we not received the annual report for fiscal year 1984?

A. Unusual and unforeseen delays in the editing, review and printing procedures have put the FY 1984 report considerably behind schedule. We expect to submit the report to the President and the Congress shortly.

4. Q. 42 U.S.C. 5614 (a)(5) requires "brief but precise comprehensive plans for Federal plans for Federal juvenile delinquency programs, with particular emphasis on prevention of juvenile delinquency." What has the Administrator developed to meet this requirement?

- A. The Eighth Analysis and evaluation will discuss the program plan and priority impact areas of the Coordinating Council member agencies. Additionally, it will describe the OJJDP comprehensive program plan. The OJJDP Program Plan and priority areas are regularly shared with the Coordinating Council through presentations on significant programs and through distribution of descriptive materials.

OJJDP is working to achieve the intent of the provisions of Section 204 of the JJDP Act by increasing coordination of and consistency among Federal juvenile delinquency programs through a more active Coordinating Council. Cooperative planning and program review are becoming a reality through joint planning and shared resources.

5. Q. What juvenile delinquency development statements, information, reports, studies and surveys have been required of other Federal agencies by the Administrator pursuant to section 204(i) of the Act, 42 U.S.C. 5614(i)?
- A. On an annual basis OJJDP, with the assistance of the Coordinating Council, prepares and publishes an analysis and evaluation of Federal juvenile delinquency programs. The report surveys all of the Federal agencies having programs related to juvenile delinquency and juvenile justice, and provides an indepth analysis of programs identified as priority areas of concern to the Coordinating Council on Juvenile Justice and Delinquency Prevention.

Additionally, the Coordinating Council has authorized the development of a directory of juvenile justice and delinquency prevention programs. This directory will include funding and programmatic information on all Federal programs relating to juvenile justice and will be for the primary use of decision makers in the Federal government. The directory will be of assistance in setting priorities for discretionary money, eliminating duplication of effort and will facilitate interagency agreements and joint planning.

The Third Analysis and Evaluation contained procedures for submission of juvenile delinquency development statements. However, there has been no implementation of the submission requirement from 1978 to the present. Implementation of the requirement has been impeded by a reluctance by OJJDP to impose its policies on other agencies, by a lack of any real authority over the administration of other Federal programs and by the personnel resources that would be required to establish and maintain a process of delinquency development statement submission and analysis. As in the past, implementation of the delinquency development statement does not appear practical at this time.

6. Q. In fiscal years 1983, 1984, and 1985, what transfers of funds has the Administrator made to other Federal agencies to develop or demonstrate new methods in juvenile delinquency prevention and rehabilitation and to supplement existing delinquency prevention and rehabilitation programs pursuant to section 204(i) of the Act, 42 U.S.C. 5614(i)?

- A. Interagency transfers - 1983, 1984, 1985:

1983 Transfers

OJJDP/ACTION: to assist with the work of the White House Working Group on Children's Needs.

OJJDP/ACTION: to provide support for projects which recruited young offenders to serve as volunteers in service to their communities.

OJJDP/ACTION: to provide funding for the Crime Prevention and Neighborhood Enterprise Project.

OJJDP/ACTION: to enable ACTION volunteers to participate in "Replication of Project New Pride: A Serious Offender Youth Treatment Program.

OJJDP/NCCAN: to develop training materials for institutional care workers on child abuse in secure care facilities.

OJJDP/Bureau of Census: to support a survey of residential care facilities entitled "Children in Custody". (supplemental in 1984)

OJJDP/DEA: to support printing and distribution of drug abuse prevention materials for school age children.

1984 Transfers

OJJDP/HHS: to conduct a review of how Federal funds for youth services are distributed and utilized at the local level.

OJJDP/Treasury: to provide funds for the Federal Law Enforcement Training Center to provide training seminars to state and local law enforcement on a wide range of juvenile justice issues including child abuse. (supplemental in 1985)

OJJDP/NIDA: to support a joint effort to improve services for substance dependent juvenile offenders by training probation officers.

OJJDP/DOE: to provide funds for two projects to develop and distribute drug abuse prevention materials to elementary schools.

OJJDP/ACTION: to provide funds to support a volunteer program related to missing children issues.

OJJDP/ACTION: to provide funds for the development of child safety materials.

OJJDP/ACTION: to enable senior ACTION volunteers to participate in 15 formula grant projects.

1985 Transfers

OJJDP/DEA: to jointly sponsor a drug abuse prevention effort in the nation's high schools by training high school athletic coaches in drug intervention techniques.

OJJDP/HHS: to assist with the support of a Surgeon General's Conference on crimes of violence.

7. Q. What coordination has taken place between the Administrator and the Secretary of Health and Human Services regarding programs of runaway and homeless youth?
 A. OJJDP regularly participates on the Interagency Panel for Early Childhood Research and Development and the Interagency Panel for Research and Development on Adolescence. Additionally, the Administrator of OJJDP and the Commissioner of the Administration for Children, Youth and Families have met to enhance coordination of efforts between their respective agencies. Both agencies are working to achieve coordinated programming for runaway and homeless youth by avoiding duplication, exchanging research findings and sharing resources.
8. Q. What juvenile delinquency programs or activities are being jointly funded by OJJDP and other Federal agencies?
 A. See question number six for FY'85.
9. Q. Does not the simultaneous enactment of the Justice Assistance Act of 1984 and the Juvenile Justice, Runaway Youth and Missing Children's Act Amendments of 1984 as complementary parts of the President's

Comprehensive Crime Control Act of 1984 indicate a clear legislative intent that both programs continue to exist?

- A. We do not know what the legislative intent was. The authorization and appropriation processes for these Acts are separate and distinct.
10. Q. One of your recommendations in OJJDP's 1983 annual report suggested regular consultation between policy and budget officials. What role did you play in the development of the Administration's request that \$13 million in juvenile justice appropriations be transferred for other purposes? What role did you play in the Administration's failure to request funding for OJJDP for fiscal year 1986?
- A. I supplied information to the Office of Justice Programs (OJP) budget division as to what impact there would be on the OJJDP program if the decision was made to transfer the carryover funds to the U.S. Attorney/Marshalls Appropriation.
- I played no part in the Department's decision not to request funding for OJJDP in FY 1986.
11. Q. If the \$13 million is not reprogrammed, how quickly will the money be allocated to States under the formula grant program, as the Act requires?
- A. It should be made clear that the entire \$13 million will not be allocated to States under the formula grant program. Approximately \$3.6 million will be distributed to the estimated 34 states in full compliance, as required by statute, and \$1,125,000 would be made available to local public and private nonprofit agencies in the five non-participating states.
- See answer to question 15.
12. Q. On February 13, 1985, OJJDP published proposed regulations to implement the formula grant program authorized by the Juvenile Justice and Delinquency Prevention Act. When will these regulations be finalized?
- A. It is anticipated that OMB's review of the final regulation will be completed by June 15, enabling OJJDP to issue the regulation during the third week of June.
13. Q. We are more than halfway through fiscal year 1985. When were formula grant funds distributed to participating States and other jurisdictions? Which States have not yet received formula grant allocations? Why?
- A. The attached chart identifies the status of the FY 85 formula grant applications. Thirteen States and three territories have not yet submitted their application for the formula grant. Twenty-four States have been awarded formula funds. The twelve other States' and territories' applications are currently under review with negotiation and clarification being made on the applications.
14. Q. What has OJJDP done to comply with the statutory requirements of Sections 222(b) and 223(d) of the Act, 42 U.S.C. Sections 5632(b), 5633(d), to make formula grant allotments of noncomplying States and non-participating jurisdictions available to local public and private nonprofit agencies within these jurisdictions for jail removal, separation and deinstitutionalization?
- A. The FY 82 and 83 formula fund allocation was awarded in each of the non-participating States pursuant to statutory provisions. The FY 84 allocation is included in the \$13 million and is deferred pending Congressional action on the transfer request. OJJDP intends to announce a competitive program, pursuant to statutory provisions, for the FY 84 funds by the end of August 1985, and make the awards prior to the end of FY 85.

15. Q. How and when does the Administrator intend to make unobligated funds available to juvenile justice and delinquency prevention programs in accordance with Sections 222(b), 223(d) and 228(e) of the Act, 42 U.S.C. Sections 5632(b), 5633(d), 5638(e)?
 - A. The award of unobligated and reverted funds will be made available to eligible States as a supplementary grant to their formula grant award. Upon resolution of the proposed transfer of funds, which includes the \$3.6 million for states in full compliance, and if Congress disapproves the proposed transfer, the Office will initiate the process of awarding available dollars to the states pursuant to statutory provisions. It is anticipated this process will then occur annually at the end of each fiscal year.
16. Q. Pursuant to what authority have you failed to obligate and expend the accumulated, past unobligated balances in juvenile justice funding?
 - A. The Congressional Budget and Impoundment Control Act, 2. U.S.C. 684 provides the authority to defer expenditure of Juvenile Justice Act funds.
17. Q. Have any jurisdictions yet succeeded in achieving complete compliance with the jail removal mandate of section 223(a)(14) of the Act in advance of the December 1985 deadline?
 - A. Since the initial compliance timeframe for jail removal has not been reached yet (i.e., beginning after December, 1985 no juvenile should be detained in an adult jail or lockup, but a 75% reduction qualifies the State for three additional years), OJJDP has not made any official findings of "complete" compliance but has only made findings of progress toward compliance. However, based upon 1983 state monitoring reports approximately 15 states have already demonstrated substantial compliance and upon completion of 1984 report reviews, this number is sure to increase considerably.
18. Q. On what do you base your assumption that States now meeting the requirements of the Act would continue to do so if the funding now available under the Act were eliminated?
 - A. I don't make an absolute assumption that States will maintain compliance if funding is eliminated. I do assume that states will remain committed to the JJDP Act objectives.
19. Q. On March 5, 1985, you published notice that you are planning to implement the special emphasis prevention and treatment program of the Act, but provided little detail. You noted: "Dollar figures have been omitted pending final determination of the amount of funds available for fiscal year 1985." How do you plan to spend the \$70 million appropriated to OJJDP last August for use in fiscal year 1985? How would you spend the unobligated past balances?
 - A. The Program Plan published in the Federal Register on March 5, 1985 is the plan for how the Office intends to spend the \$70 million appropriated for FY 1985. To date, I have not been notified of a decision on whether the \$13 million carryover funds will be transferred or not. If these additional funds become available, we would have to develop a new program plan.
20. Q. When will you publish notice of your final discretionary program plan for fiscal year 1985?
 - A. The Program Plan published in the Federal Register on March 5, 1985 is considered to be the final plan for FY 1985.
21. Q. To date, what special emphasis funding have you obligated for fiscal year 1985 and for what program purposes?

A. Special Emphasis funding as of May 31, 1985

1. Serious Habitual Offender / Drug Involved Program (5 projects in total) The Serious Habitual Offender / Drug Involved Program (SHO/DI) is a law enforcement information and case management initiative for police, schools, probation, prosecutors, social services, and corrections authorities. SHO/DI enables the juvenile justice system to give additional, focused attention given to juveniles who repeatedly commit serious crime with particular attention given to providing relevant case information for more informed sentencing dispositions. The SHO/DI approach is a system-wide effort to deal with the problem of criminal behavior among juveniles. (City of Jacksonville; City of Portsmouth; Colorado Springs Police Department; City of Oxnard; and the San Jose Police Department)
2. Project Helping Hand. This diversion project addresses reducing adjudication of juveniles, increasing community involvement, and otherwise meeting the needs of troubled youth. It is also felt that this will free the juvenile justice system to concentrate on more serious crimes. A major aim is to establish diversion programs supported by local communities with both services and funding.
3. Center for Community Change. The Center will provide training and technical assistance to the neighborhood based organizations funded under the Violent Juvenile Offender (R&D) Program, Part II. In addition, CCC will respond to ad hoc training and technical assistance requests as directed and/or approved by OJJDP.
4. Violent Juvenile Offender Part II Program (3 of 8 projects funded to date) This research and demonstration prevention effort focuses on the organization of communities to combat violent juvenile crime. Neighborhood-based agencies were funded to develop an analysis of violent crime problems, and create a Community Committee, to develop an action plan to combat violent juvenile crime. A component of this model calls for work with families of youth-at-risk or youth engaging in juvenile crime by marshalling community resources to assist these families. (Black Federation of San Diego; Better Boys Foundation; and West Dallas Community Centers)
5. Boy Scouts of America. This award is for the expansion of the Boy Scouts of America's "Exploring Careers in Criminal Justice and Law Enforcement" program and will continue the emphasis on the involvement of Law Enforcement Exploring in community service. Program activity includes a national leadership academy, creating minimum training standards, drug awareness programs and producing and distributing a newsletter, magazine articles and public service announcements.
6. Treasury Department. Transfer of funds to the Treasury Department to provide funds for the Federal Law Enforcement Training Center to provide training seminars to state and local law enforcement on a wide range of juvenile justice issues including child abuse.
7. Law Related Education. (2 of 5 projects funded to date) This program trains, assists, and disseminates information to state and local school jurisdictions to incorporate specific curriculum materials in all grades to help youth understand and appreciate the fundamentals, principles and processes of the justice system and its relevance to their everyday life.

22. Q. What efforts is OJJDP funding in fiscal year 1985 that focus on delinquency prevention?

A. In fiscal year 1985, the Special Emphasis Division has developed a juvenile victimization prevention initiative to address the problem of juvenile victimization as it pertains primarily to adolescent youth. The Office has also established a working group at Harvard University to explore programs for families. Its task will be to recommend areas where OJJDP can best use

its resources to involve and strengthen families of youth-at-risk in order to prevent delinquency.

Ongoing activities under the current administration begun prior to the new Act have involved a number of initiatives which are designed to prevent delinquency, foster family involvement and/or strengthen families. These projects are:

The National School Safety Center. The National School Safety Center, operated by Pepperdine University, assists school boards, educators, law enforcers, and the public to make schools safe, secure and tranquil places of learning. States are assisted in establishing state centers. Assistance is in the form of information of all types, based upon research conducted by the Center.

Permanent Families for Abused and Neglected Children. The major goals of the "Permanent Families for Abused and Neglected Children" project are to provide permanent homes for abused and neglected children; provide training and technical assistance to key state legislators, state supreme court judges, juvenile and family court judges, volunteers, and state social services representatives; and to establish well-organized and effective programs in each state. To assist OJJDP in obtaining these goals, a contract has been awarded to the National Court Appointed Special Advocates (CASA) Association to recruit, train and establish more state and local associations.

Law Related Education. This program trains, assists, and disseminates information to state and local school jurisdictions to incorporate specific curriculum materials in all grades to help youth understand and appreciate the fundamentals, principles and processes of the justice system and its relevance to their everyday life. Curricula are reviewed and revised as necessary.

VJOP-II - Prevention of Violent Juvenile Crime. This research and demonstration prevention effort focuses on the organization of communities to combat violent juvenile crime. Neighborhood-based agencies were funded to develop an analysis of violent crime problems, and create a Community Committee, to develop an action plan to combat violent juvenile crime. A component of this model calls for work with families of youth-at-risk or youth engaging in juvenile crime by marshalling community resources to assist these families.

National Center for Missing and Exploited Children (NCMEC). In the first nine months of operation, the National Center for Missing and Exploited Children has responded to thousands of requests from around the United States for a wide variety of assistance. During this period the National Center has participated in the delivery of services and assistance to individuals and organizations concerned with the issues of missing or exploited children. Among the accomplishments of the Center during its first nine months of operation are:

- * The Establishment of a National Toll-Free Hotline to be Primarily Used by Individuals who have Information Regarding the Location of a Missing Child. In the first three months of operation, this hotline has received over seven thousand calls including almost 500 reports by individuals who believed they had specific information regarding the location of a missing child. In addition, this toll-free hotline is used to identify a number of children involved in a nationwide abduction and exploitation case.
- * Training Programs for Law Enforcement and Social Services Professionals in the Investigation and Prosecution of Cases of Child Victimization. Training programs have been conducted in over 20 states for over five thousand individual criminal justice professionals.
- * Training Assistance and Advice Concerning the Effective Treatment of Hundreds of Cases of Missing or Exploited Children. This includes direct liaison and advice to law enforcement agencies and families and public and private organizations.

- * A Nationwide State Legislative Effort Conducted to Distribute Information Regarding the Most Effective State Laws to Protect Children. The Center has established a national resource center which has assisted dozens of states in the drafting and enactment of laws to protect children.
- * An Education and Public Awareness Campaign That Has Brought Center Personnel to Speak in at Least Twenty-Five States at Regional and Statewide Citizen Conferences.
- * The Development and Distribution of Manuals and Written Instructions Concerning Effective Laws to Protect Children and the Prevention and Treatment of Parental Kidnapping Cases. Thousands of these publications have been distributed and the program has involved every state in the Union.

Covenant House - This program is an extension to Houston and Fort Lauderdale of the New York-based runaway youth shelter. This program provides a safe haven for youth who would otherwise be living on the streets and in many cases engaging in crime to sustain themselves. It provides counseling and placement services and attempts to reunite youth with families.

National Branching Project - Partners, Inc. The program aims at improvement of the skills and abilities of youth resulting in positive change through matching in-conflict youngsters with adult volunteers in year-long relationships. Youngsters are referred to the program by police, juvenile court, schools or other human service agencies.

Project Helping Hand. This diversion project addresses reducing adjudication of juveniles, increasing community involvement, and otherwise meeting the needs of troubled youth. It is also felt that this will free the juvenile justice system to concentrate on more serious crimes. A major aim is to establish diversion programs supported by local communities with both services and funding.

Close Up Foundation. The Close Up Partners Program provides a target group of delinquent youth with a coordinated set of citizenship-based participatory activities. The impact upon youth will be evaluated.

Proyecto Esperanza/COSSMHO. The National Coalition of Hispanic Mental Health and Human Services Organizations (COSSMHO) is providing training and technical assistance to eight geographic sites in implementing a program to identify and reach Hispanic runaways; sexually exploited, abused, and neglected youth; and to foster safe schools. COSSMHO identifies and evaluates programmatic options to generate a data bank, mobilizes concerned parents and neighborhood volunteers, and secures clinical treatment for Hispanic juvenile runaways and exploited youth.

23. Q. What efforts is OJJDP funding in fiscal year 1985 that focus on prevention of substance abuse or on rehabilitation of substance abusers?
- A. In FY 1985, OJJDP joined with the Drug Enforcement Administration (DEA) to support a national project to provide drug abuse prevention training to 4,000 high school athletic coaches and their student athletes.

A project is currently in the design stage which will provide support for a demonstration project to be implemented in two DC high schools. This project will train student leaders and athletes to serve as role models for their peers and for younger students.

OJJDP has provided leadership in convening a large group of individuals representing private industry citizens groups, the media and government agencies to form a national partnership to reduce drug and alcohol abuse. OJJDP has provided resources and logistical support for the organizational and planning meetings of this major effort.

24. Q. When will you publish notice of your program plan for fiscal year 1986?

A. There are no plans for publication of OJJDP's Program Plan for fiscal year 1986. The Administration has a zero budget for FY 1986 for OJJDP.

25. Q. What is your program plan for spending the Title IV, missing and exploited children, funding in fiscal year 1985?

A. The proposed funding priorities for making grants and contracts under the Missing Children's Assistance Act are:

1. National Incidence Study to Determine the Actual Numbers of Missing Children

This study will determine, for a given year, the actual number of children reported missing, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnappings and the number of children who are recovered each year. We will also determine the number of children whose whereabouts are unknown to their legal custodians because they are runaways, or for other reasons.

2. Law Enforcement Assistance

Law enforcement procedures for handling Missing Children reports and investigative follow-up vary greatly from jurisdiction to jurisdiction. Evaluation of procedures and recommendations on the most effective police methods of handling missing childrens reports and investigative follow-up will help in this area.

Involvement in the Federal Law Enforcement Training Center at Glynco is a way to reach large numbers of law enforcement officers with training in missing children and runaway cases. Model investigative practices can be taught in Glynco courses with an emphasis on citing specific police department examples of successful application.

3. Research

After assessment of what research currently exists, the following three areas will be explored:

- a. The relationship between Missing and Abducted Children and Sexual Exploitation — Information is sketchy, but the correlation between abducted, and other missing children and sexual exploitation appears to be high. More factual information on the correlation between missing children and sexual exploitation and, whether children, and which children are abducted for sexual purposes would help in dealing with this phenomenon.
- b. Psychological consequences of abduction and sexual exploitation — On the federal level, state level and local level, we are making progress in setting up an effective apparatus to attempt to retrieve missing children. But once we retrieve a child, how can we best help parents and child back to normalcy? There is a need to develop treatment for the adverse psychological consequences of abduction and sexual exploitation.
- c. The child victim as witness — Children are serving more frequently as witnesses in trials of their accused abductors and abusers. Research is needed on the effectiveness of children as witnesses, the negative effects of the proceedings on children as well as other aspects of the child victim as witness.

4. Technical Assistance to PVOS

Private Voluntary Organizations (PVOs) across the country are working to help missing and exploited children. PVOs are, for example, sponsoring Child Safety Days in schools, organizing court-watcher groups for trials of abductors and abusers, and working to encourage constructive reform in procedures for retrieving and rehabilitating missing and exploited children.

We recommend assisting these groups in their operation and management, with a number of small grants.

26. Q. In October, 1981, this Subcommittee held a hearing on promising research concerning the early identification of juvenile delinquents. What research and programs are being funded to follow up on that initiative?
- A. The NIJJDP has continued to devote a substantial proportion of its research funds to increasing understanding of initial involvement in delinquency, as well as sustained involvement in delinquency and adult crime. The major projects focused on these issues are:
1. Delinquency In a Birth Cohort Follow-up, Dr. Marvin Wolfgang
This study consists of a follow-up of the 1958 birth cohort from age 18 to age 26, using both official records and interviews. It will assist in identifying factors which are related to desistance or sustained involvement in crime.
 2. The Young Criminal Years of the Violent Few, Dr. Donna Hamparian
This study addresses the question of whether youth arrested for violent crime persisted in criminal activity as young adults. It also includes a focus on early social service contacts for abuse and neglect, and later delinquency and crime.
 3. Early Correlates of Violent Offense Careers, Dr. Solomon Kobrin
The purpose of this project is to analyze the offense pattern characteristics of approximately 7000 juveniles over a thirty year period. The study is based on Los Angeles County probation records and state criminal history records.
 4. A Six Year Follow-up of Formerly Incarcerated Violent Juveniles, Dr. Dorothy Otnow Lewis
Funds were provided to support the analysis of psychological, neurological, psychiatric and social data on 117 youth incarcerated in Connecticut. The purpose is to improve our capability to predict future involvement in violence, based on factors which professionals generally consider amenable to intervention.

In addition, OJJDP is planning to announce a new program of research on causes of delinquency. This program will be focused on why and how juveniles become involved in delinquency, and who continues or desists. It will inform the development of more effective prevention and early intervention strategies.
27. Q. On August 1, 1984, at a previous oversight hearing, this Subcommittee heard testimony regarding an \$800,000 research grant to Judith Reisman. The Washington Post reported last Friday, May 3, 1985, that a revised project design was submitted in January of this year and recently approved. The Post reported that over \$153,000 was expended to revise the design and respond to the press and that an additional \$40,000 has already been expended in connection with this grant. How much has been spent in connection with this grant, on what has the money been spent, and how much additional funding is planned for this project?
- A. Approximately \$324,000 has been expended for the project on pornography, child exploitation and juvenile delinquency. The ceiling on project expenditures is approximately \$735,000. An additional \$411,000 may be spent for the project, if required to complete the tasks specified in the cooperative agreement.

28. Q. What plans do you have to expand special emphasis funding for the coordinated, national law related education special emphasis delinquency prevention program in fiscal year 1986.
- A. Since there are no plans for a FY 1986 budget, it is not known how much would be committed to LRE.
29. Q. Section 225(d)(1) of the Juvenile Justice Act requires that all "new programs selected after" October 12, 1984 must be subject to competition and peer review. The only programs exempt are those selected for award before October 12, 1984. Congress clearly intended the effective date of these requirements to be the date of enactment (10/12/84) — not some later date of the Administrator's own choosing. Please explain why OJJDP's proposed competition and peer review regulations would make the date of initial application the controlling criterion, even if a selection did take place until long after October 12, 1984, thus permitting the Administrator to immunize certain programs from competition and peer review by delaying final promulgation of the regulations. This is utterly incompatible with the statutory mandate. OJJDP suggests that programs "already selected" by the time these regulations are made final should be exempt.
- A. Sec. 225(d)(1) requires that "new programs" selected after Oct. 12, 1984 be subjected to competition and (except for those funded under Part C) peer review. Further, we interpret the language used (i.e., "selected"), to refer to program announcement with respect to individual competitive programs and to award action for non-competitive programs or individual projects. No awards for the initial funding of noncompetitive applications submitted to OJJDP prior to October 12, 1984, are currently pending award by OJJDP.
30. Q. The proposed regulations state that OJJDP has "initiated consultation" with the National Science Foundation and the National Institute of Mental Health on establishing the peer review process, as required by the Act. NSF officials have advised the Juvenile Justice Subcommittee that as of Monday, May 6, they have had only one contact with OJJDP — in the form of a phone call one month ago asking where to send a draft of the proposed Peer Review Manual. The Subcommittee is further advised that the part of the proposed regulations purporting to establish a peer review process was developed entirely without consultation, or even contact, with NSF or NIMH. Please explain why OJJDP has ignored the plain statutory mandate.
- A. Officials at both NIMH and NSF were contacted in the fall of 1984 to identify and obtain materials on peer review procedures. These were then reviewed for relevance to the new JJDP Act requirements. Officials at both agencies with responsibility for the consultation process were contacted in April, 1985 to ascertain if additional materials were available which would be pertinent to the consultation process.
- These steps made it possible for OJJDP to develop a proposed regulation with the benefit of the materials made available to us. Since the publication of the draft proposal in the Federal Register, OJJDP has actively consulted, in face-to-face meetings, with staff in both agencies and will complete the initial consultation process prior to making the regulation final and will continue to consult as part of ongoing implementation of the OJJDP peer review policy.
31. Q. Paragraph 3 of the proposed regulations' Supplementary Information regarding exclusions states that competitively awarded research projects are excluded from peer review. This is insupportable and inconsistent with the Act, under which the exclusion applies only to Part C (NIJJDP) awards. Explain why OJJDP has ignored the Act's unambiguous requirement of peer review of all awards under section 224 (Special Emphasis grants), without regard to competition.
- A. The proposed regulation intended to exclude competitively awarded Part C research projects from peer review. This will be clarified in the final

regulation. In addition, although not requested to do so, OJJDP intends to continue its past practice of seeking peer review of Part C funded research projects.

32. Q. The Act flatly prohibits using "officers and employees of DOJ" as peer review experts. The language of the Act is absolute: it does not speak of "majority" or "mostly" or "substantial compliance." Under no circumstances may a DOJ employee serve as a peer reviewer under the process established under the Act. Please explain why the proposed regulations state the OJJDP "reserves the right to use qualified DOJ staff as internal peer reviewers."
 - A. Sec. 225(d)(2) of the Act requires the use of experts "other than officers and employees of the Department of Justice" as peer reviewers. We do not interpret the language in the statute as precluding any use of DOJ experts as peer reviewers since the statute merely provides that the peer review process shall use experts other than officers and employees of the Department of Justice, i.e. it does not prohibit use of DOJ staff nor state that outside experts shall be the exclusive source of peer review. Regardless, OJJDP anticipates including DOJ experts in the peer review process on a limited basis. We consider the use of this in-house expertise to be important in order for the office to benefit from the expertise of persons in other DOJ agencies in certain subject areas, and in order to coordinate effectively with other DOJ components.
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33. Q. One of Congress's concerns in enacting the competition requirement was unsolicited proposals, such as the Judith Reisman and George Nicholson awards. A competitive process is essential when an unsolicited proposal raises a worthwhile issue but is not of the requisite "outstanding merit" to warrant award without competition. Please explain why the proposed regulations provide for competition only when proposals are received in response to a program announcement.
 - A. Section 225(d)(1)(A) of the Act requires that all competitive awards be announced in the Federal Register—as part of the competitive process. If an unsolicited proposal is received, subjected to peer review under Section 225(d)(2)(B)(i), and determined not be of "Outstanding Merit", OJJDP would then have to determine whether to proceed with a competitive program. If so, the unsolicited proposal could be submitted in response to the program announcement.

GREYBOOK PROCESSING -- FY 1985 APPLICATIONS

Report Date:
5/20/85

ATTACHMENT TO Q. 13

State	Dollar Amount	Appl. Rec'd	Additional Material Requested	Greybook Sent Forward	Grant Signed	Grant Awarded
Alabama.....	\$723,000.	1/11	2/27/85		3/28	3/29
Alaska.....	225,000.	3/1	(In Typing)			
Arizona.....	542,000					
Arkansas.....	422,000.	12/14		2/20/85	2/20/85	3/5
California.....	4,256,000					
Colorado.....	7,550,000.	4/12				
Connecticut.....	493,000.	1/3		2/27/85	3/6/85	3/14
Delaware.....	225,000.	12/6		2/22/85	3/20	3/27
Dist. of Columbia.....	225,000					
Florida.....	1,055,000.	(CCC review application)				
Georgia.....	1,055,000.	2/14		3/25		4/5
Hawaii.....	225,000.	N/P				
Idaho.....	225,000					
Illinois.....	2,019,000					
Indiana.....	989,000					
Iowa.....	511,000					
Kansas.....	420,000.	12/28				
Kentucky.....	675,000.	10/22		3/26		3/29
Louisiana.....	880,000.		2/4	5/6	5/7	5/7
Maine.....	225,000.	10/22		3/28		4/8
Maryland.....	710,000.	3/4				4/3
Massachusetts.....	895,000.	12/31		3/18	3/20	3/27
Michigan.....	1,635,000.	12/14		2/11/85	3/6/85	3/14
Minnesota.....	733,000.	1/22		2/27/85	3/6/85	3/14
Mississippi.....	519,000					
Missouri.....	852,000.	1/29	5/5			
Montana.....	225,000					
Nebraska.....	287,000					
Nevada.....	225,000.	N/P				
New Hampshire.....	225,000.	12/28		2/27/85	3/6/85	3/14
New Jersey.....	1,215,000.	12/28		2/17/85	3/6/85	3/14
New Mexico.....	280,000					
New York.....	2,872,000.	1/11		2/28/85	3/6/85	3/14
North Carolina.....	1,040,000.	4/23				
North Dakota.....	225,000.	N/P				
Ohio.....	1,890,000.	5/7				
Oklahoma.....	596,750	5/8				
Oregon.....	460,000					
Pennsylvania.....	1,913,000.	2/12	4/26	5/6	5/7	5/7
Rhode Island.....	225,000.	10/10	N/A	11/21	1/31/85	2/7
South Carolina.....	602,000.	1/30	5/13		5/21/85	5/21/85
South Dakota.....	225,000.	N/P				
Tennessee.....	812,000.	(Not currently eligible)				
Texas.....	3,015,000.	11/16				4/3
Utah.....	396,000					
Vermont.....	225,000.	1/7		3/18	3/20	3/27
Virginia.....	925,000.	1/22				4/3
Washington.....	745,000.	12/20	2/20		3/5	3/12
West Virginia.....	351,000.	1/15	2/27	4/17	5/7	5/7
Wisconsin.....	837,000.	12/10		3/18		4/18
Wyoming.....	225,000.	N/P				
Puerto Rico.....	793,000.	1/2	2/22/85			
American Samoa.....	56,250					
Guam.....	56,250	5/7				
Trust Territories.....	56,250					
Virgin Islands.....	56,250					
N. Marianas.....	56,250	2/27	(Requested material rec'd 4/17)			

RESPONSES OF MR. REGNERY TO WRITTEN QUESTIONS
FROM SENATOR DENTON

1. Q. As of May 7th, how many states, participating under the Juvenile Justice and Delinquency Prevention Act, have received their formula grants for fiscal year 1985? In answering this question I would like for you to explain the unusual delay in awarding the formula grant to the State of Alabama.

A. As of May 20th, 24 states have been awarded their formula grant. (See response to question 13 from the Subcommittee.) Alabama submitted its application on January 11, 1985 and the award was made on March 29, 1985 (10 weeks after receipt). A 77-day review, negotiation, and processing period for a \$723,000 grant is a reasonable period when taking all circumstances into account. Established agency practice allows 90 days for the processing of formula grants. OJJDP, however, finds that it has been able to process most such grants in 45 to 75 days from receipt of application.
2. Q. With the enactment on October 12, 1984 of Public Law 98-473, which includes Division II of Chapter VI, the Juvenile Justice, Runaway Youth and Missing Children's Act Amendments of 1984, OJJDP is now required to make an annual grant or contract in six specific special emphasis areas, including model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency.

Please tell the Subcommittee the specifics on the grants awarded or the contracts entered into pursuant to this statutory mandate for FY 1985.

A. Programs or projects are either being funded or planned for funding under each of the "six particular subject areas" set forth in Section 224(a) of the Act. The attached matrix delineates the relationships between the specific provisions of Section 224(a) and provides a brief program description and amount of funds allocated.
3. Q. The reauthorized Juvenile Justice and Delinquency Prevention Act now contains a provision that OJJDP will sponsor a conference for the State Advisory Groups at least every two years. It is my understanding that OJJDP has indicated a willingness to sponsor a conference this year but has stated that the conference can not be held in Washington or the surrounding metropolitan area. Can you explain why OJJDP is taking such a position on the location of the State Advisory Group Conference?

A. The national meeting of State Advisory Groups should be held, over the years, in different parts of the country. In 1983, the meeting was in Kansas City, Missouri; last year it was in Washington, D.C.; this year we thought Pittsburgh would be a good place to have it. A site in Pennsylvania is particularly appropriate since that state has been among the nation's leaders in implementing the mandates of the Juvenile Justice and Delinquency Prevention Act. Additionally, Pittsburgh is centrally located, easily accessible, and has excellent facilities for such a meeting.

4. Q. Each year the participating states submit an Annual Report and Monitoring Plan. It is my understanding that the Plan reports the State's compliance with the Juvenile Justice and Delinquency Prevention Act and is used by OJJDP to determine whether or not the State will be eligible for funds for the next fiscal year. This past December the State of Alabama submitted its Plan. However, the State has received no communication from OJJDP concerning the State's compliance, eligibility or even receipt of the Plan.

I would like for you to explain the delay in responding to the Alabama Annual Report and Monitoring Plan, and to inform me, in writing, whether or not Alabama will be eligible for FY 86 funds.

- A. OJJDP's main priority has been the review, negotiation and award of FY 85 formula grant funds. Since the report you reference determines eligibility for FY 86 funds, the review and findings have been delayed to meet other immediate demands. This, coupled with the fact that the reorganization of the OJJDP has resulted in staff changes, requires new personnel or personnel with new assignments to be trained and knowledgeable in the new areas of responsibility and about the states for which they have liaison responsibility.

A preliminary review of Alabama's report shows the State would be eligible for FY 86 funds. A final review and notification should occur within days.

5. Q. This Subcommittee has a deep concern about the national tragedy of youth suicide. The Subcommittee has conducted two hearings on the subject and Senator Specter and I are currently working with the ACTION Agency and HHS to conduct a national conference on the subject.

My question is two part:

- Q. Has OJJDP updated the 1978 figures on juveniles who commit suicide in adult secure detention facilities?
- A. The most recent figure on juvenile suicide in adult secure detention facilities comes from the National Census of Jails conducted by the Bureau of Justice Statistics. They estimate seven such suicides for the period from July 1982 to June 1983.
- Q. What initiatives has OJJDP been involved in to deal with youth suicide?
- A. Deinstitutionalization, separation and jail removal, historically the major emphases of OJJDP, were motivated, in part, by the problem of youth suicide. Presently, OJJDP is participating in the planning and implementation of the Department of Health and Human Services' upcoming youth suicide conference.

Funds Allocated	Project Sites
\$500,000	Houston, Texas and Ft. Lauderdale, Fla.
\$500,000	

Project(s) on Program

Delinquency Prevention and Runaway Children

Section 224 (a)(1)

This is a continuation of the operation of emergency crisis intervention centers for runaway and homeless youth in Houston, Texas, and to establish a shelter in Fort Lauderdale, Florida.

This program is a replication of the Under 21 New York runaway shelter opened by Covenant House in April, 1977.

Probation

The Special Emphasis Division, in fiscal year 1985, will develop and implement a probation program to demonstrate and assess the effectiveness of privatizing a variety of probation services or functions that have traditionally been implemented through public service delivery mechanisms. The Office will publish a request for contract action (RCA) to provide comprehensive training, technical assistance and other assistance to jurisdictions interested in the privatization of all or some of their probation functions.

*This also addresses 224 (a) 2.

Statutory Provisions	Projects/Programs	Funds Allocated	Projects Sites
Section 224 (a) 2	<u>Project Helping Hand</u> This is a continuation of a grant to Project Helping Hand. The project stresses the original goals of the diversion concept including: (1) reduce adjudication of juveniles; (2) increase community involvement; (3) more appropriately meet the needs of troubled youths; and, (4) to free the juvenile justice system to concentrate on more serious crime through introduction of significant private sector involvement. It also provides assistance to communities replicating the successful methodologies of those diversion projects through training and management assistance and, establishing diversion projects funding from non-public sources.	\$128,543	Reno, NV, Raleigh, NC, Oakland, CA Philadelphia, PA

\$38,209

National Branching Project

This is an continuation grant to Partners, Inc. The project creates a partnership between an adult (senior partners) and youth (junior partner) who is in trouble with the law, having difficulties in school, at home, or with peers.

Youth between the ages of 10 and 18 are accepted into the program. They are referred to the program by juvenile court, police, schools, or other human service agencies. This special relationship offers each youngster in the program an opportunity to strengthen feelings of self-worth, improve academics, decrease delinquent behavior, and increase abilities to cope with stress.

Project(s)/Programs

Statutory
Provision

Funds Project
Allocated Sites

Section 224 (a) (3)

Permanent Families for Abused and Neglected Children

The major goals of the "Permanent Families for Abused and Neglected Children" project are to provide permanent homes for abused and neglected children; provide training and technical assistance to key state legislators, state supreme court judges, juvenile and family court judges, volunteers, and state social services representatives; and to establish well-organized and effective programs in each state. To assist OJJDP in obtaining these goals, a contract has been awarded to the National Court Appointed Special Advocates (CASA) Association to recruit, train and establish more state and local associations.

\$1,477,888

Funds Allocated Project Sites

Project (s)/Programs

Statutory Provisions

Section 224 (a) (4)

No program has been established for direct funding, however, the Harvard Study Group grant was recently supplemented so that it could establish a special subgroup to explore the issues related to families and make recommendations on programmatic approaches that hold the most promise for preventing delinquency by strengthening families

Project (s)/Programs

Statutory Provisions

Section 224 (a)(5)

Habitual Serious and Violent Juvenile Offender

This is a continuation of the grants that were awarded under this initiative. This program targets those youth who exhibit a repetitive pattern of serious delinquent behavior for more intensive prosecutorial and correctional intervention. The goals of this initiative are to reduce the propensity of habitual juvenile offenders to sustain a criminal life style and to increase public security. Attainment of these goals will be through expeditious prosecution and enhance treatment of juvenile offenders whose juvenile histories indicate repeat commission of serious and violent delinquent acts, including robbery, burglary, forcible sexual offenses, aggravated assault, and recidivist homicide.

\$3,679,052 Providence RI,

Camden, NJ
Washington, D.C.
Philadelphia, PA
Milwaukee, Wis.
Cambridge, Mass
Seattle, Wash
Denver, CO
Miami, Fla
Jacksonville, Fla
Las Vegas, NV
New York, NY
Chicago, ILL
Indianapolis, IN

Funds Allocated Projects Sites

\$1,000,000

Violent Juvenile Offender Program: Part II

This is a continuation of sites that were previously funded under this initiative. The Violent Juvenile Offender Program, Part II is a research and development effort testing New Orleans a program model designed to prevent and reduce violent juvenile crime within selected

Chicago, IL
San Diego, Ca
New York, NY
New Orleans, La

neighborhoods. It is to increase the knowledge of factors associated with violent juvenile crime, which can be used to aid in the design and implementation of future programs and policies aimed at reducing violent youth crime.

Juvenile Justice Assistance Project

\$203,000

This is a continuation grant to the Center for Community Change (CCC). The Center will continue to provide training and technical assistance to the neighborhood based organizations funded under the Violent Juvenile Offender (R&D) Program, Part II. In addition, CCC will respond to ad hoc training and technical assistance requests as directed and/or approved by OJJDP.

Serious Habitual Offender & Drug Involved (SHO/DI)

\$648,000 Portsmouth, Va
Jacksonville, Fla
San Jose, Ca
Colorado Springs Co
Oxnard, Ca

The SHO/DI program is a continuation of a five site initiative begun in FY 83. It focuses on demonstrating how law enforcement agencies can, through selective data gathering and analysis processes and the subsequent direction of limited law enforcement resources, expedite the apprehension and processing of serious habitual offenders and as a result impact on the treatment and deterrence of youth from criminal activity. The program is based on the concept that the police, prosecutors, courts, social agencies and community groups must work closely together to focus effectively on two major areas of community concern - serious crime and drugs.

The National School Safety Center

\$5000,000
J5 Funds
Total(1,858,733)

The National School Safety Center, operated by Pepperdine University, assists school boards, educators, law enforcers, and the public to make schools safe, secure and tranquil places of learning. States are assisted in establishing state centers. Assistance is in the form of information of all types, based upon research conducted by the Center.

<u>Private Sector Corrections</u> OJJDP will fund a number of private sector corrections projects in order to evaluate their relative efficiency and effectiveness in dealing with serious offenders. All participating projects will be analyzed by an independent evaluator.	\$1,500,000		
<u>Specialized Training</u> This comprehensive training program will utilize and encourage the use of methodologies of at least two Special Emphasis Division Programs: the Serious Habitual Offender, Drug Involved program, and Habitual Serious and Violent Offender program. This program will provide assistance to local communities wishing to develop comprehensive system wide programs (i.e., law enforcement adjudication) for violent and serious juvenile offenders. The communities will be encouraged to use the suggested approaches as a comprehensive approach as is discreet program activities to deal with serious offender groups. Trainees will be managers of law enforcement agencies, district attorneys, and judges.	\$500,000		
Statutory Provisions	Project(s) on Program	Funds Allocated	Project Sites
Section 224 (a)(6) <u>Law Related Education (LRE)</u> This program trains, assists, disseminates information to state and local school jurisdictions to incorporate specific curriculum materials in all grades to help youth understand and appreciate the fundamentals, principles and processes of the justice system and its relevance to their everyday life. Curricula are reviewed and revised as necessary.	Law Related Education (LRE)	\$1.4 Million	

Senator SPECTER. If you would stay at the witness table, Mr. Regnery, I would appreciate it because there may be some questions that you could be helpful on at the same time.

At this time, I would like to ask Dr. Judith S. Reisman to step forward and to be accompanied by Dr. David Sansbury, Dean of the American University School of Education.

Thank you for joining us, Dr. Reisman and Dr. Sansbury.

You were promoted to Dr. Regnery, too, a few moments ago.

Mr. REGNERY. I appreciate that.

Senator SPECTER. Dr. Reisman, you may proceed. If you could limited your opening remarks to the extent possible to the 5-minute parameter, leaving the maximum amount of time for questions and answers, we would appreciate it.

STATEMENT OF DR. JUDITH A. REISMAN, THE AMERICAN UNIVERSITY SCHOOL OF EDUCATION, ACCOMPANIED BY DR. DAVID SANSBURY, DEAN, THE AMERICAN UNIVERSITY SCHOOL OF EDUCATION

Dr. SANSBURY. Mr. Chairman, if I may begin, I am Dr. David Sansbury, acting dean of the school of education at American University, which is the academic unit responsible for the oversight of the cooperative agreement we have been talking about.

I have come to this hearing as a spokesperson for the university and I have accompanied Dr. Reisman, who is the director of the project.

We are quite pleased to have the opportunity to discuss the project with the members of the committee. However, as you know, we were notified by phone late Friday afternoon of your interest in having us attend the hearings and have not been able to prepare in any depth responses to questions that you may have. But, again, please be assured that we are here to cooperate to the fullest extent possible and will be happy to furnish the committee with any information they so desire.

Senator SPECTER. Thank you.

STATEMENT OF DR. JUDITH A. REISMAN

Dr. REISMAN. Following that, Senator Specter, I have to also say I have no prepared statement, though I would certainly welcome the opportunity to discuss our work in detail.

When we were called on Friday, I had a full weekend of activity that was tied into the project and I simply was not able to do anything to prepare. So if you will bear with me, I will try to answer your questions as fully as possible and, again, gladly would return for a full day of whatever, demonstrations or explanations or full detail that you are interested in at any time.

Senator SPECTER. I regret the late notice. When Administrator Regency testified at the oversight hearing on August 1, 1985, the subject of your grant came up extensively and, as you know, there was very substantial public interest from a series of media presentations late last week, and that is obviously the causative factor of our inviting you here. We have not given you much notice, and if you would prefer not to respond to questions today, we can give you more notice and an opportunity to come back at a later time, because you are entitled to fair notice.

Dr. REISMAN. I would appreciate that tremendously because, frankly, I would like to be able to present our material to you in as accurate a manner as possible and I think that you would want to get that information in as accurate a manner as possible.

Senator SPECTER. Well, if you are in a position to answer some of the questions concerning expenditures, that would be helpful. If you are in a position to answer some questions concerning methodology, that also would be helpful. But it really is your choice. You are not under subpoena. You are not compelled to be here, obviously.

Dr. REISMAN. Yes.

Dr. SANSBURY. Let us try to do the best we can and where we cannot be responsive at this point, we will return or provide the information later.

Senator SPECTER. The subcommittee understands it is short notice and you have stated it accurately concerning as to our time of notifying you; and I have stated the sequence as to why we were going to ask Mr. Regnery about your grant, but we felt that you should hear, and also that you ought to have an opportunity to be here because there has been a fair amount of notariety and inevitably when we asked Mr. Regnery and Ms. Swann, there were questions which they could not answer. So it may be in your interest to be here, but only you can really decide that.

But as Dr. Sansbury says, if you would like to proceed and if there is something you cannot answer and want more time on, we would certainly understand.

Let us start off, then. Is that all right with you?

Dr. REISMAN. Yes. We will do the best we can.

Senator SPECTER. Let us start off with the issue of funding.

It is reported that \$194,000 was spent. Let us not say how it was spent. Let us ask you how it was spent, Dr. Reisman.

Dr. REISMAN. In terms of the expenditures of the sums of money discussed, from my point of view as the principal investigator, I will tell you that we have expended those funds basically for the establishment of the staff, the setting up of the office, the establishment of the physical situation; but a tremendous amount of money has been expended on constructing not only the design that you have heard about, but the instrumentation for analysis of the child images in Playboy, Penthouse, and Hustler. We are objectively classifying the images of children in this gene. We are not examining children but rather, we are examining the ways in which children are described by Playboy, Penthouse, and Hustler.

Senator SPECTER. Dr. Reisman, have you spent a substantial sum of money responding to questions from around the country as it has been alleged in the public print?

Dr. REISMAN. Well, I cannot actually address the issue in terms of what is substantial. I can tell you that we have spent some sums of money, energy, time, dealing with the press, warding off questions that were coming from many and sundry individuals or groups. But basically the funds were expended in the development of our research instrumentation. That development has been extensive and it has been very carefully done and, of course, it has been done under peer review.

Senator SPECTER. The question as to spending money on inquiries from around the country, what kind of inquiries were there besides news media inquiries?

Dr. REISMAN. As I said, I cannot address that particular point. That statement came from the press. That was where I read it and I assume that is where you read it. Perhaps the press knows more than I do about the dollars and cents involved in answering telephone calls. I can only address the work that we did which cost the substantive amount of funds that were expended. This work included the developing of instrumentation, pilot testing of the instruments, gathering the materials and the resources and setting up to do our research. These funds were expended on the preliminary aspects of our research including constructing heretofore uncreated means of examining those particular materials.

Senator SPECTER. Dr. Reisman, the subcommittee would be interested to know, if you could provide at a later date, how much money of the \$194,000 was spent on respond to inquiries. The question has been raised regarding the propriety of that being charged against a Federal grant. It may be proper. It may not be proper. But it is something that we would like to know. So as far as this subcommittee is concerned, this is only the second time that we have directed an inquiry toward you and we would like to have an idea as to how the moneys are being spent so that we can make an evaluation of the propriety of those expenditures.

Dr. REISMAN. I will do the best I can in terms of the press issue. I can certainly address the expenditure of funds for the creation of the research instrumentation.

Senator SPECTER. When you say research instrumentation, what do you mean by that?

Dr. REISMAN. You raised a very important point earlier. You pointed out that you yourself had read these in *Playboy* or whatever. So have most of the people in this room. We are looking at this material in a very different way. We are not examining the material as entertainment but rather as media communication, as information; and what we are attempting to do is to examine the material for its depiction of children, children in nonsexual scenarios, children in sexual scenarios as they are defined either in cartoon structures or in pictorial structures. That is a very extensive, as you might have observed, area of endeavor, particularly when it is something that people here have all commonly read, laughed at, perhaps, passed on to a friend. We are dealing in a very sensitive and a very crucial area; and to deal in that area correctly requires sensitivity and scholarly attention to truth and objectivity or we will have no validity in what we do.

Therefore, what has to be involved is the development of new, unique, objective, careful kinds of instrumentation which will allow us to analyze the information contained in those materials that are so common, so popularly consumed, so readily read and discussed. This instrument must allow us to come out of this investigation with concrete, viable, verifiable information.

Senator SPECTER. Give me an example of what is a unique, objective instrumentation as you just stated it.

Dr. REISMAN. Well, the creation, for example, of our first instrument. Our first instrument looked at cartoons in *Playboy*, *Pent-*

house, and Hustler. The instrument had to be constructed in such a way that questions about the data in those magazines could apply to all three magazines equally. In fact, the instrument should be applicable to literally any kind of magazine material.

What we did then was to do initial tests of the magazines, to gather all of the images of children that existed in the magazine, and to try to break those images down into very specific components: age, sex, race, any religious overtones represented by symbols such as a cross or Star of David, cues, discrepancies between age categorizations. At each time, at each step along the road, we had to check and recheck the kinds of assumptions we were making. We had to take age categorization, for example, and we had to go back to the literature on physical depictions of children, to the formal literature, in order to examine the physical depictions of children in that literature to make a determination as to the kinds of information we were coding and as to the equivalency of age in our magazines as compared to formal literature on children.

Senator SPECTER. What kind of formal literature are you talking about, Dr. Reisman?

Dr. REISMAN. I am talking about books that are accepted in the medical field as having diagrams of children at specific stages of physical development and which would also include motor skills appropriate to children at that particular stage.

Let me explain, if you will—

Senator SPECTER. Please do.

Dr. REISMAN. I delivered a lecture about a month ago for the Georgetown Department of Pediatrics. Now, at that time I presented quite a few of the cartoons that we are looking at. I also presented some of the photographs, although we were not engaged in the analysis of photographs at that time. We are currently engaged in photographic analysis of juveniles in Playboy, Penthouse, and Hustler.

One of the things that I was checking with these pediatricians or one of the things that came up in that lecture was the difficulty of recognizing the age of a child as depicted, for example, in a Playboy cartoon.

Let me explain that a little bit further because it is rather important.

The activities of children in some of these cartoons are so precocious, their request for sex from an adult, for example, is a request that is phrased in such precocious language that the assumption of a reader is that the child is actually perhaps 4 or 5 years older than the actual physical depiction of the child in that magazine would indicate.

Now, we have had to try to offset that difficulty in age analysis by providing standard images of children so that that distortion in perception would not take place or so that we could account for it. I discussed this with the doctors attending that lecture at Georgetown University Hospital and there was certainly an informal agreement at that time that the images of the children as physically depicted and the kind of activity that was physically depicted were often in serious contrast and that some viewers would tend to increase the age of the child in concert with the activity.

Senator SPECTER. Dr. Reisman, let us see if we cannot set some parameters to what you are dealing with here, because what you said so far does not fit into any overall scheme that I can understand.

When you talk about pornography as an activating force leading to conduct which results in molesting of a child, that is a question which may have some significance. I think it does have some significance. But the question is, how do you move toward some sort of an analysis of it. Now, it may be that we will have to talk about this on a very protracted basis over many hours. I do not know. But I have done substantial work in the field and I have seen a fair amount of pornography and seen criminal prosecutions for pornography, have seen the issue raised as to a causative factor; and if your study can relate to pornography in this literature or these magazines which is a causative factor in child molestation or sexual assaults of children or contributing to the delinquency of children, then I would say it has some merit.

But from what you said so far, I do not see how it fits into any such pattern.

Can you get a little closer to the end of the rainbow? What do you see as a practical consequence of where your research is heading?

Dr. REISMAN. Well, first of all, Senator, our expectation is that all the confusion and disagreement in this room regarding what, in fact, is in those magazines may be significantly changed by developing cognitive tools that give us data that tells us what is in those magazines.

Many people admit they have not seen X, Y, or Z in magazines which they have consumed or read over long periods of time. If we are dealing with approximately \$200 million sales of such materials each year, then that is a significant figure, but in order for us to understand what the material in question does, we have to first know what it is. That means we have to know, are children in the material? If children are described, when were they first included in the material? If they were included in the material as set targets how was it done? If children are in those materials, are they defined, for example, as viable incest subjects?

Do you know if they are, Senator? Can you tell me how many pictures in Playboy, Penthouse, or Hustler described fathers assaulting their children through cartoons or through pictorials indicating that kind of sexual assault as viable?

Can anyone in this room answer that question? I doubt it. Our data will attempt, in fact, to answer that question and it will attempt also to answer other questions.

How many of you can tell me what number of these materials define children as viable subjects for murder?

Senator, I think it becomes extremely important for us to understand what, in fact, is taking place inside the materials that are widespread materials of consumption throughout the United States of America and the rest of the Western world.

Senator SPECTER. If you make a calculation, that is simply a tabulation, but the cartoons are not going to tell you whether it is (A) parent and child—

Dr. REISMAN. Certainly some do. Definitely. We have a cartoon in which a man is sexually fondling a young girl and the young girl is talking on the phone and she is saying, "Excuse me, Tommy, but I can't go out with you tonight because daddy has some extra chores for me." It is in a home situation. The man has his hand inside the young girl's underpants and there are certainly then—

Senator SPECTER. Do you have that cartoon handy?

Dr. REISMAN. I do not, but may I again offer to come and to present to you at any time for a protracted period of time, because it is a very complex and sensitive issue, the materials that we have so far, the kinds of plans that we have for materials studied in the future and the kind of data that we will be able to present you with in actually a period of a month.

Senator SPECTER. Let us take up one of the cartoons which you produced earlier today.

Is this illustrative of the kind of cartoon which is part of your study?

Dr. REISMAN. Yes, I would say that is an illustration of a child in a scenario and we would code that as a child. We would code the activity of the gentleman under the water as the other character and we would be doing an analysis of the activity that is taking place in that scenario; and we would be trying to find out how many scenarios are similar to those, over what period of time and whether any change has taken place from an earlier period of time to a later period of time.

Senator SPECTER. Where does it lead you? Is a study of a picture like this reasonably related to determining whether some viewer of this picture will engage in some act of sexual molestation of a child?

Dr. REISMAN. You mean the picture there with a little girl standing in the water and a man under the water putting his fingers into the girl's crotch while she is—

Senator SPECTER. Wait. You are seeing a different picture than I am. There are no fingers in the girl's crotch. He is moving toward her. There is not a touching here.

Dr. REISMAN. Where is the research study going to lead?

Senator SPECTER. Take a look at the picture, Dr. Reisman, if you would, because I do not think you can see it from that distance.

Dr. REISMAN. Thank you.

Dr. SANSBURY. Could you rephrase the question? I am not clear as to what you are asking.

Senator SPECTER. The question is, what can the study of that picture do in any practical or realistic sense in an evaluation of whether somebody who views that picture will molest a child?

Dr. SANSBURY. Obviously, that is not what the focus of this study is about. Again, we are trying to be fairly clear that the study is—

Senator SPECTER. What is the focus about? I still do not understand. What is the focus, Dr. Sansbury?

Dr. SANSBURY. I thought Judith was fairly eloquent in presenting the focus of the study in terms of being a content analysis of the way in which children are portrayed through cartoons and pictures in three mainstream magazines.

In addition to that focus, the secondary focus will be to look at crime and violence, particularly crime and violence against children and how that is being portrayed in the magazines.

Senator SPECTER. Well, a content analysis does not say anything to me. If it is related to being a causative factor in child molestation, that is something of significance.

Mr. REGNERY, do you understand the scope of the inquiry?

Mr. REGNERY. I think I do, yes.

Senator SPECTER. Is the subject matter of a content analysis of significance to you?

Mr. REGNERY. More so to the people that work in the field than it is to me, those people in law enforcement and so on who directly are involved with these issues on a day-to-day basis; and they advise me that it would be very valuable to them, particularly—

Senator SPECTER. How so? I used to be involved in that all the time as district attorney. How is that going to be of benefit to a district attorney?

Mr. REGNERY. A district attorney is probably not a good example. A better example would be a law enforcement officer who is investigating a case of child molestation or child abuse.

Senator SPECTER. A district attorney does that all the time.

Mr. REGNERY. A district attorney would do so also. A person who works with those children who have been abused or works on a preventive basis with children who might be abused, knowing what sorts of problems they may be up against as a result of the influences of the sorts of magazines that are generally available to the public, whether, first of all, whether or not that influence appears to be there, and I gather that is a second—

Senator SPECTER. You are looking for a causative connection between the presence of that magazine and some assaultive conduct, some sexual molestation, are you not?

Mr. REGNERY. Ultimately that is subsequent research that would have to be done.

Senator SPECTER. Beyond the scope of the \$734,000?

Dr. REISMAN. That would certainly be the concept of anything that would be called subsequent. Let me make another thing quite clear.

We have extensive anecdotal evidence, statements by victims of incest and victims of sexual abuse in which the victims spoke about this material being in the hands of an offender and of this material being used for the purpose of justifying sexual exploitation of the child.

Senator SPECTER. Are you studying that?

Dr. REISMAN. Excuse me. Just let me develop that 1 minute more.

That is, the use of this material to entrap children in pornography or sex was in fact, the argument that was brought to me by those involved in the prosecution of sexual assault cases.

Senator SPECTER. I have to interrupt because we have about 4 minutes remaining to vote and we will be right back.

Senator METZENBAUM. Mr. Chairman, I am not coming back. I have heard enough.

Senator SPECTER. Senator Metzenbaum will not be back, but I will.

Dr. REISMAN. Thank you.

[Recess.]

Senator SPECTER [presiding]. We will resume the hearing.

Dr. Reisman, I believe you were in mid-answer and the question was whether your study on content analysis, what it accomplished, if it does not deal with the issue of causative connections between the written material and assaults on children.

Dr. REISMAN. I will defer to Dean Sansbury on that.

Dr. SANSBURY. The study does not attempt to establish a causative relationship. Other studies exist in the field which have studied that issue very extensively.

What was missing was a thorough understanding of the present media available that the people responded to; and I believe your own subcommittee hearings got into a lengthy background about what exists in terms of research evidence of how various populations respond to pornography. So this study does not go back over that same ground.

Senator SPECTER. What is the purpose, again, of a content analysis, Dr. Sansbury?

Dr. SANSBURY. Well, again, what we have is a situation where a number of these magazines were linked with various activities of child molestation, violence, and the like on an informal basis or by observation, but there was no clear understanding of what was in the magazines. Other than seeing a magazine laying about or in the home it does not, in itself, indicate what an individual may have been responding to or reading. And if you do not open the covers and see what is inside, you do not know what the content is. There is basically no research available that provides a detailed analysis of what it is in the magazines, particularly with regard to treatment of children—

Senator SPECTER. After you had the detailed analysis, what good does that do you?

Dr. SANSBURY. It provides the informational basis on which to link up this study with a whole body of existing research.

Senator SPECTER. This study does not do that? This study does not have as its objective the linkup?

Dr. SANSBURY. That would be part, I think, of the conclusions or recommendations of the study, to begin showing how this fits into the larger body of research. The primary focus of this study, as we have been indicating, is a detailed analysis of the portrayal of children as well as the violence and violence toward children in popular pornography.

Senator SPECTER. Is it or is it not connected with the question of cause of effect between such material and abuse of children?

Dr. SANSBURY. There is certainly a major concern about the causal effect, yes, but this study does not address that issue.

Senator SPECTER. This study does not address the issue of cause and effect between this material and the assaults on children?

Dr. SANSBURY. That is correct. There are a large body of research which attempts to deal with that fairly complex issue, of the way in which people respond to various and different types of pornography. It is not a closed issue. It is one that is very active in the research area. There are various theories to explain the effects. If it were an easy open and shut case, I think we would have had it set-

tled 25 years ago; but it is not an easy area. It is not a singular type of response to the media.

Senator SPECTER. But there is no study which deals precisely with the pictures which Dr. Reisman is taking up concerning whether they—let me finish the question—concerning whether they have a cause-and-effect relationship between people who look at these pictures and abuse of children?

Dr. SANSBURY. I think because of my own interruption I lost track of your question.

Sorry.

Senator SPECTER. You say this is going to be a content analysis and then you say there are other studies which deal with the question of cause and effect.

Dr. SANSBURY. Right.

Senator SPECTER. My question to you is, but nobody has taken a look at these pictures that Dr. Reisman is studying to determine if they cause children to be molested?

Dr. SANSBURY. Not that I am aware of. There is no study like that that I am aware of.

Senator SPECTER. It does not seem to me based upon what I have heard so far that you get very much for your money if you have a content analysis which stops short of the issue of whether this causes child molestation.

Dr. SANSBURY. I agree that would be the question to answer. It simply was not the focus of this study. It was not put forth as the focus of this study.

Senator SPECTER. What is the importance of the content analysis if it does not deal with the question of cause and effect between this material and child molestation?

Mr. Regnery, do you not agree that the study stops short at the critical spot?

Mr. REGNERY. Well, as I understand the issue, Senator, as far as this research is concerned that, first of all, as Dr. Sansbury says, there is an apparent body of research which links pornography to various kinds of sexual activity, whether it be rape or whether it be the desensitization of women issues or things like that or even child pornography; but because of the fact that the magazines which are being observed do have a combined circulation of literally tens of millions, as basically they are available to everybody, as I understand it, that research will fit neatly into the research that does look at the question of cause and effect, either which exists or which might be done. Perhaps if you can make an analogy to other kinds of research that my office has done on juvenile crime, before you get into the cause and effect relationships, you need to know basically what you are up against in terms of what the things are that are going to be causing the effects.

As we look at Professor Wolfgang's research—

Senator SPECTER. You are making a circle on that, Mr. Regnery. I think you are in a circle on that. You are talking about cause and effect. I do not believe that there are really good studies in the field as to demonstrate how pornography has a cause and effect relationship to a child molestation or sexual assault.

Mr. REGNERY. On that specific issue, apparently there are not.

Senator SPECTER. I do not believe there are studies; but if there were studies, I do not see the value of this study if its content analysis stops short of the cause and effect to child molestation. It gives you a body of information for \$734,000 which stops short of the only question involved, and that is, does this material cause sexual molestation.

Mr. REGNERY. That is true, but I do not think you can come to that question until you have this research. The issue of cause and effect is going to be basic research, original research, which does look at that issue specifically with the people involved. That is not the sort of research that my office is equipped to do. That is the sort of thing that the National Institute of Mental Health and places like that do, that various medical schools, perhaps, or psychiatrists, other such people, might engage in. We cannot do that kind of research and we have never tried, but what this does do is to provide the basis on which that kind of research can then go forth.

You are right. There is not any specific research, and I have here, for example, a portion of the book called "Child Sexual Abuse," by David Finkelhorn, who is apparently one of the experts in this field, and he says it is true that no strong empirical evidence yet exists linking child pornography to a development of a sexual interest in children, but the connection is plausible enough to warrant serious and scientific investigation; and he goes on to explain why.

Senator SPECTER. That is the precise question the study does not undertake. I say there may be some justification for spending money to see if there is a causal relationship between pornography and molesting children, but there is no study and this study does not do that. This study simply takes up—

Mr. REGNERY. This report—

Senator SPECTER. Now, I understand it does not purport to do that, but I do not understand what it does purport to do. What is the value of a content analysis if you do not know what that content does? If you do not know what that content causes?

Mr. REGNERY. Would it be fair to say it lays a foundation for that subsequent research? As I understand it, that is what it does.

Senator SPECTER. Dr. Reisman does not say that. She has no plan to undertake that subsequent research. That is what she is testifying to.

Dr. REISMAN. I certainly think it would be fair to say that there may or may not be a causal relationship, but we will not be able to make any reliable statements about that issue until accurate data exists. We are attempting to put together reliable data which can support that kind of determination.

Senator SPECTER. Well, you are saying, Mr. Regnery, as I understand it, you may have to have another study.

Mr. REGNERY. I think that is right. Either have another study—

Senator SPECTER. And, Dr. Reisman, are you saying there has to be another study?

Dr. REISMAN. I would imagine unless we prove conclusively that there is not a shred of doubt that this material has absolutely no effect on anyone whatsoever, that someone certainly is going to

want to continue research in this area. It is an important area. Unless pornography disappears tomorrow, I suppose the research will continue.

Senator SPECTER. Well, Mr. Regnery, as I listen to the testimony, it seems to me that the content analysis does not tell us much more than we know by looking at it, and that the critical question is whether there is a cause and effect between this material and abuse of children. And if this study does not get to that point, then I do not understand the value of the study.

Mr. REGNERY. Senator, can I recall an analogy that we have discussed with a couple of my staff members on this issue, and that is the whole issue of juvenile crime, and we are not talking about in relation to pornography, just another area of research.

The point came up that a man on the street might say that juvenile delinquents are no good punks and they should all be locked up. I can see that just by looking around and, therefore, that is what should be done about them. Then somebody will go ahead and research it and they will find out all sorts of things about the background, let us say, of delinquent children, at least what sorts of things they might have been involved in before, which might have lead to the delinquency, which gives us then the basis on which the build more research to try to find out how to prevent or control it or any other aspect of the delinquent field; and I think this is somewhat analogous.

What we are doing is the initial research, trying to find out what the numbers are. What we are talking about are magazines generally available to the entire population and, I guess from what you have seen, from that which has been handed to you this morning, probably have a considerable or at least they have some or include in their content some depiction of children being abused or crimes committed against children. Enough people seem to be asking the question which you, yourself, asked in the hearing that I cited before, that why is there so much child abuse and sexual molestation? We do not know. Maybe it is just that more is reported and maybe there is, in fact, something that is leading to that. I guess what we are trying to do is lay enough foundation so, in fact, we can come up with a conclusion that these magazines do have an increasing depiction of child violence, of the exploitation of children, in the last 25 years, that that will be enough of a foundation for somebody else to base some intelligent research on so they can tell us if, in fact, this correlation exists. And I think just as in any other sort of social science research that if we do that, that will at least possibly be valuable to those people who work in the field with this issue.

Senator SPECTER. Well, the analogy you raised to the study of juvenile delinquents in my judgment is not apt, and the question which I had posed in earlier hearings, whether there is a cause and effect relationship between pornography and the abuse of children, is a valid question. But it is one which is not addressed by this study.

Mr. REGNERY, I would ask you to reconsider the grant on the basis that it simply does not take up the question at hand, and that is a cause and effect relationship.

We are now past 12:30, substantially over time, and, of course, it has been occasioned by the interruptions and I am prepared to listen further, Dr. Reisman and Dr. Sansbury. Perhaps we can pursue it on the staff level. But unless there is an answer to the question of the causal relationship between this pornography and the abuse of children, it just does not seem to me that it warrants the expenditure of three-quarters of a million dollars.

Now, under our system, that is your call, Mr. Regnery; that is Congress' call, the Senate's call on future funding. But I think pornography—I think the question is important as to what pornography does, what these magazines do, and there is no question there is an increase of abuse of children. at least reported.

My sense is there is an increase in the country and I sense that based on having been district attorney of a big city in the sixties and seventies and what I see to be present now; but if we are going to spend three-quarters of a million dollars, I want an answer to the question of does this material cause abuse of children.

Dr. REISMAN. Senator—

Senator SPECTER. Because content analysis to me does not mean anything unless you address that question.

Mr. REGNERY. Let me say one thing if I could about that.

This does not necessarily justify the exact expenditures of three-quarters of a million dollars. But in the other research we have been doing into the question of juvenile delinquency, as you know, having spent tens of millions of dollars on the issue of the causal effects of juvenile delinquency, we still continue to research that area. I expect over the next quarter of a century people will continue to do that research and we know a lot more now than we did certainly 20 years ago, and we have a lot better idea of what we do not know; but there is still a long way to go and, unfortunately, it does cost a great deal of money for us to finally come up with those kinds of answers that do help us to address the issues.

The research that we have done in other areas I think helps us address the problem better than we used to, but we are still a long way from having the final answer, if there is, in fact, a final answer.

Senator SPECTER. Mr. Regnery, it is a question of priorities. I do not see where this research is going. You have a lot of very, very important applications at OJJDP. You have the arson issue; you have the teen suicide issue. We are on the floor battling about the Jobs Corps and about Amtrak and about student aid, and anywhere there are so many places to put limited dollars, it is a question I think we have to take another look at.

Mr. REGNERY. I would point out, Senator, this was, as you may know, a one-time grant we made a year, year and a half ago, which will be concluded in November 1985. There is no additional money going into this project. We have made the expenditure.

Senator, before you close, could I make a couple of corrections?

My staff indicated a couple of things I said were wrong.

Senator SPECTER. Yes.

Mr. REGNERY. In response to Senator Metzenbaum, on the materials that were to be submitted, I am told by my staff that we did, in fact, give the committee everything that the committee asked for that was available. There may have been some things that I re-

ferred to that I thought were in writing which, in fact, were not and apparently in the letter that went to the committee, it indicated that each of those things that did not, in fact, exist. So I am at least instructed that we did submit everything that we said we would; so I will look into that to make sure that is true.

The other thing is in response to Senator McConnell, I mentioned on the missing children we are not using the \$4 million for administrative money on the board and, in fact, apparently we are. I think it is \$50,000 or something, just so the record reflects that.

Senator SPECTER. Thank you very much.

Dr. Reisman, you had something you wanted to add?

Dr. REISMAN. I want to leave something for the record.

When I reviewed the last testimony I noticed I had not submitted a letter that I had said I would. So I brought it with me.

Senator SPECTER. Do you have the letter now?

Dr. REISMAN. Yes. So I would like to submit that for the record.

Senator SPECTER. We will accept it.

[Letter from Dr. Reisman, quarterly progress report, and copies of cartoons discussed follow:]

THE AMERICAN UNIVERSITY
WASHINGTON, DC

June 3, 1985

The Hon. Arlen Specter
United States Senate
133 Hart Senate Office Building
Washington, DC 20510

Dear Senator:

Regarding the oversight hearing by the Subcommittee on Juvenile Justice held on May 7, I am submitting the information you requested as well as copies of cartoons to which reference was made during the hearing.

At the hearing, you asked if I could tell you how much money had been spent on responses to inquiries regarding our project. Unfortunately our budgeting and bookkeeping system does not break down project expenditures in a way which could produce a precise answer. The Project Manager, Patrick Martin, handles all public inquiries regarding the project, and he estimates that less than 10% of his time is occupied by that task. With regard to how project funds have been spent, I am attaching our most recent quarterly progress report which is the best description of our activities.

Reference was also made to two cartoons. While I had one of these cartoons at the hearing, I did not have both. Since significant discussion revolved around both, I ask that these copies be included in the record. They are:

- a) Hustler, May 1984, page 15, the cartoon which I did not have with me at the hearing; and
- b) Hustler, September 1976, page 75 ("Chester the Molester"), the cartoon which was the subject of our discussion.

Because of the short notice given to me prior to the hearing, I was unable to prepare a more complete portfolio and report on our project and preliminary findings. I am ready to present such a report to the Subcommittee and look forward to doing so at the Subcommittee's earliest convenience.

Sincerely,



Judith Reisman
Principal Investigator

Attachments

Pornography, Sexual Exploitation and Juvenile Delinquency
(202) 885-8500/8531/8532/8533

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Pornography, Sexual Exploitation and Juvenile Delinquency

Cooperative Agreement #84-JN-AX-K007

Office of Juvenile Justice and Delinquency Prevention

Judith A. Reisman
Principal Investigator
School of Education
The American University
Washington, D.C.

Quarterly Progress Report

May 1, 1985

I. Project Status

A. On January 8, 1985, this office submitted the final redesign of this project as requested by OJJDP, incorporating our peer review comments and suggestions. The revised budget and design were officially approved by OJJDP on March 29, 1985.

B. As outlined in our last quarterly report, we devised three major documents in preparation for our first coding session, which began on January 22, 1985:

- 1) The Coders' Manual
- 2) The Coders' Coding Instrument
- 3) The Coders' Manual Cartoon Portfolio

Moreover, as stated, we constructed a series of additional visual literacy training protocols:

- 4) A Slide Presentation Training Program for coders
- 5) A coders' training protocol of 12 detailed lesson plans and tasks
- 6) A revised and expanded Age Evaluation Guide for coder analysis of depicted children complete with adult/child measurement criteria
- 7) An Emotional Gesture Guide for coder analysis of facial expression, complete with definitive physiological criteria for analysis of expression.

C. The above seven products constitute a more exhaustive visual literacy guide than has heretofor been constructed for the analysis of the pictorial genre under study. However, it was found that extensive additional investigation was required if we were to develop adequate tools for accurately capturing the information on the 6,000 - 20,000 characters and activities contained in the nearly 2,000 child cartoon scenarios under examination. Again, as the first analytical tools of this genre, these instruments constitute a methodology by which scholars may classify, measure and analyze a myriad of child representation variables in erotica/pornography.

D. Following two interviews, the first with Patrick Martin, our Project Manager, and the second with Dr. Reisman and Mr. Martin, twelve persons, six female and six male, were selected from a large pool of candidates for the coder positions. The group began the first coding session on January 22, 1985. Shortly after start-up, two of the twelve selected had found other employment and a third coder accepted a full-time position several weeks into the project. As a result, we were required to expend additional resources in recruitment and interviews, while attempting to carry on our training program with the remaining number of coders.

E. From January 22 through April 19, our coding team was involved in training, preliminary testing and final coding of all child cartoons in Playboy, Penthouse, and Hustler. Moreover, during the cartoon set-up stage, a significant category of analysis emerged unexpectedly, which we have titled the "child magnet" analysis, a category yielding useful research data. Based upon recommendations by our licensed psychologist, we introduced the first stage of testing for the child visual unit prior to completion of all the Hustler child cartoons, returning to the Hustler analysis after running a test of the child visual instrument in Playboy, Penthouse, and Hustler.

II. Major Problem Areas

A. Several problem areas emerged during this quarter. First, the drop-outs, and the training of replacement coders, interfered with our ability to carry out our analysis in the smooth, uninterrupted patterns desired. An advantage to this, however, was that it permitted us to test the efficiency of our final child cartoon instrument, since the replacement coders received a less exacting training protocol than did the original coders.

B. The creation of a cartoon evaluation instrument which could yield a large body of reliable data on extremely sensitive and complex issues, was extremely time-consuming and difficult. While we had conducted preliminary tests on hundreds of cartoons, and continually refined the phrasing, ordering and definitions of our questions, the actual field work, with each of the ten to twelve coders examining hundreds of cartoons, proved to be infinitely challenging.

1. Following the development of general questions regarding age, sex, race, physical setting, etc., we operationalized an elaborate structure of questions and definitions to capture many complex and contradictory depictions of children in both the artistic medium of cartoon and that of illustration, as well as the special medium of photography.

2. Some of these artistic scenarios have involved more than five characters, and as many activities, as well as requiring an analysis of a complex mixture of relationships and interactions. Each of these unique factors had to be isolated and each coded according to who was doing what, when, where, how, and how much to whom.

3. Some of the more definable problems we have encountered, and solved adequately, are:

o Operationalizing the categories of activities depicted and the degrees of their depiction. Is the act graphically depicted? Is it merely discussed in the accompanying text? Is the act just implied? If implied, how is the act implied? Are both pictures and text congruent and do both act together to deliver an unambiguous message or are they incongruent and does each deliver a separate message?

o Operationalizing techniques with which to describe the relationships between separate cartoons or pictures on the same page or within the same eyespan. Is the child cartoon/picture being analyzed in isolation or in context? Is it juxtaposed with a sexual picture or text? Is it juxtaposed with a violent picture or text?

o Operationalizing the instances in visual analysis (photographs), when information on one page in a series can be used to answer a question regarding a series picture on another page. While this may legitimately be done to ascertain a child's age, for instance, resource and time restrictions proscribe complete text analysis. Where are these resource limits and what are the justifications for the designated text parameters?

4. Another task has been in locating prototypes for complex analytical problems and adapting them for the project. An example of such an adapted guide is Eckman's and Friesen's analysis of cross-culture emotional typology, Unmasking the Face (1975).

Here, the Eckman and Friesen work was used as a major part of training protocol on emotional expression and as an emotional expression guidebook during coding. Several emotional categories were created unique to our special components of analysis. For example, by studying various cartoons in which children were being tricked or abducted into sexual activity, the facial data was broken down into upper face anger brow and lower face upturned mouth creating a category defined as sadistic

intent. Eckman and Friesen's facial prototype provided the basic source for analytic precision of cartoon emotional data.

5. In those instances where we could find no extant prototypes to use as a guideline for examining our hypotheses, extensive in-house research was needed before questions could be adequately designed to meet the analysis problem. In the Eckman/Friesen situation, basic forms were reorganized and utilized in our special cases. Unfortunately, this was not so in all situations.

6. Often, activities such as the one mentioned above have been hampered by difficulties in acquiring certain research materials. Our original child cartoon instrument, for example, was largely based on Playboy and Penthouse simply because we had less than a dozen copies of Hustler on hand. While we had sought out and ordered the Hustlers well in advance, they did not arrive until February 22, 1985, when set-up for coding had begun. We found then, that the twelve Hustler issues on hand did not adequately represent Hustler's depictions of children. Consequently, the child cartoon instrument required additional testing and revision prior to overall coding. Had we not proceeded in this fashion, we would have had no techniques with which to record very specific, or unique, depictions of children in Hustler and to compare these to Playboy and Penthouse over time.

7. At last count, the coding team had identified 9,000 children and pseudo children in Playboy, Penthouse, and Hustler, more than double the original number of pictorials anticipated. This has required additional trouble-shooting and allocation of resources to narrow the criteria of pseudo-child to more manageable parameters. To this end, Dr. Edward Lawson, Art Education Curator of the Hirshhorn Museum, was contacted for guidance on the pseudo-child criteria, and his suggestions are presently being followed.

B. Numerous unanticipated categories and definitions were required for the cartoon analysis. The coding team located patterns of display which appear to have been accessible only via a full-scale census of the population. Once identified, these isolated activities and events were seen to fall into recognizable classifications which may have eluded us had we applied a sampling technique. An identifiable component with its own patterns which emerged from the magnet and child categories was the SANTA CLAUS phenomenon, isolated and analyzed as a special case in both magnets and child cartoons.

C. Our licensed psychologist, Dr. Carole Hoage, was not approved until March 11. This delay necessitated postponing coding of some materials and rescheduling of other activities. Dr. Hoage's meetings with the coders have been quite useful.

D. Our Data Management Specialist/Statistician position has also been vacant, and the difficulties of not having a colleague in this position may be said to have been of singular import. We had some temporary assistance from a specialist in this area, but, unfortunately, due to monetary issues, we were unable to secure his services full time. We anticipate getting on track shortly with a well-qualified professional in this position.

E. Due to the unanticipated mass of child magnet cartoons, the large pool of pictorials, and the overall need to define hundreds of additional terms, issues and relationships for our coding team, our project has proceeded in the quality of theoretical development and knowledge, while it is not where we would prefer in the quantity of product. We hope to proceed with greater speed when coding commences again on May 6, 1985, but we must revise our sampling procedures for adult cartoons and adult visuals. We are preparing a modification to our design to reflect these proposed revisions.

III. Other Activities

A. Academic Events

o On March 11, 1985, Dr. Reisman lectured on this project to the Department of Pediatrics at Georgetown University Hospital and she was requested to repeat the lecture for the Department's Grand Rounds on May 10, 1985.

B. Community Events

o On March 7, 1985, Dr. Reisman lectured on this project and on media and pornography for the Equal Employment Opportunity Commission (EEOC) Baltimore District Office.

IV. Assessment of Implementation Activity

A. Our child cartoon and child visual instruments have received full peer review and we will present the adult cartoon instrument shortly for review.

B. As has been previously outlined, due to the pioneering nature of this basic research, and due to vacancies in key staff and consulting positions, delays have been unavoidable. We will transmit, for your approval, a modified sampling methodology. With minor revisions, our project goals will be met, as anticipated, in a timely fashion.

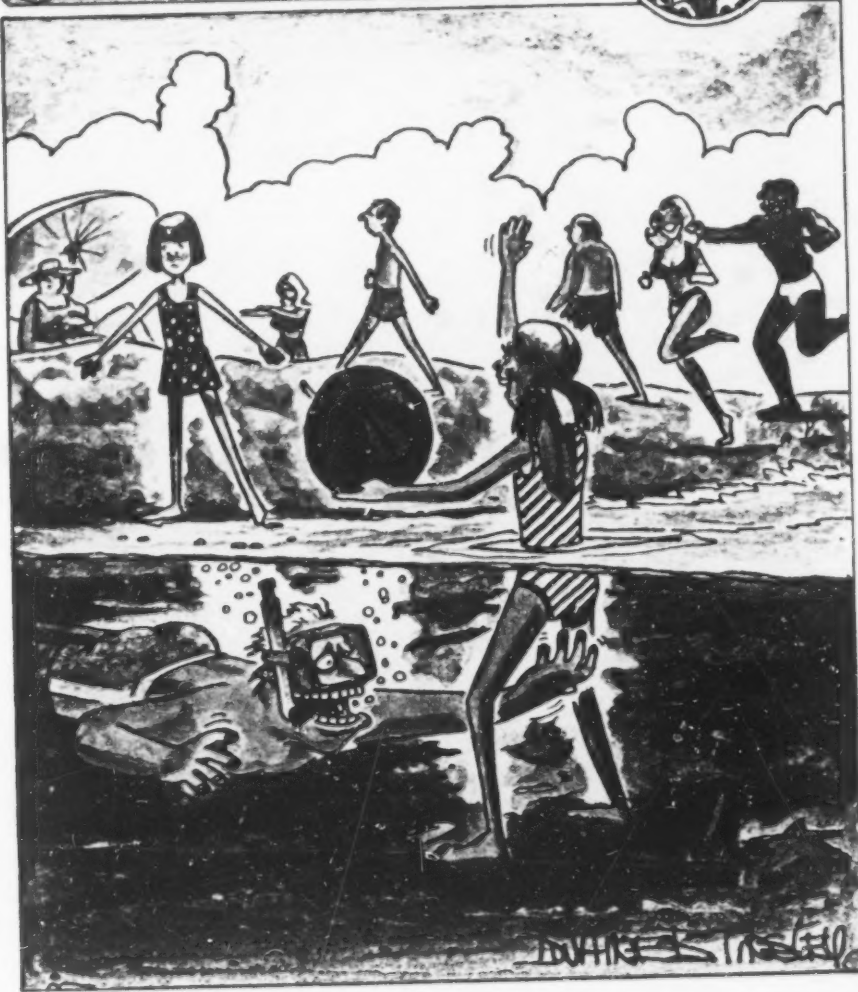


"Gee... I'd love to go to the drive-in, Tommy, but my dad has some, uh, extra household chores for me tonight."

HUSTLER
Sep. 76

CHESTER THE MOLESTER

Principal child is unaware of the activity, but presence is part of the point of the cartoon



Dr. REISMAN. Thank you.

Senator SPECTER. I want to read a short statement from Senator Denton.

"Because of a schedule conflict I, Senator Denton, was unable to be present at today's hearing and ask that an opening statement be placed in the record," which it has without objection, and Senator Denton will submit written questions within 15 days for the witnesses here.

That concludes our hearing.

Thank you all very much.

[Whereupon, at 12:37 p.m., the subcommittee adjourned.]

